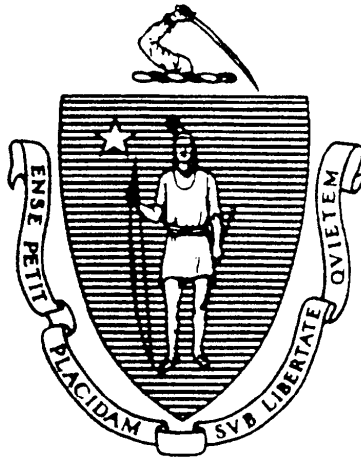


# **Massachusetts Sentencing Commission**

## **Survey of Sentencing Practices FY 2000**



**November 2001**

**Massachusetts Sentencing Commission  
90 Devonshire St. Room 2001  
Boston, MA 02109**

**Voice: (617) 788-6867  
Fax: (617) 788-6885**

## **MEMBERSHIP OF THE MASSACHUSETTS SENTENCING COMMISSION**

### **Judges**

Honorable Robert A. Mulligan, Chairman  
Associate Justice, Superior Court

Honorable Margaret R. Hinkle  
Associate Justice, Superior Court

Honorable Mark H. Summerville  
Associate Justice,  
Boston Municipal Court

### **Prosecutors**

Honorable S. Jane Haggerty  
Associate Justice, Superior Court

Pamela L. Hunt, Esq.  
Office of the Attorney General

Geline W. Williams, Esq.  
Executive Director  
MA District Attorneys' Association

### **Defense**

Michael J. Traft, Esq.  
Private Attorney, Boston

William W. Robinson, Esq.  
Committee for Public Counsel Services

Thomas G. Murray, Esq.  
Private Attorney, Boston (deceased)

### **Sheriffs Association**

Mariellen H. Fidrych  
Executive Director  
MA Sheriffs' Association

### **Parole Board**

Michael J. Pomarole, Esq.  
Chairman, Parole Board

### **Public Safety**

Michael C. Bolden, Esq.  
Executive Office of Public Safety

### **Victim Witness Board**

Maria F. Rodriguez, Esq.  
Chief of the Family Protection Unit  
Hampden County District Attorney's Office

### **Department of Correction**

David Slade, Esq.  
Office of the General Counsel  
Department of Correction

### **Probation**

John J. O'Brien, Commissioner  
Office of the Commissioner of Probation

### **District Court Liaison**

Honorable Timothy Gailey  
Presiding Justice  
Chelsea District Court

### **Staff**

Francis J. Carney, Jr., Executive Director  
Linda K. Holt, Research Director  
Lee M. Kavanagh, Research Analyst  
Valerie C. Caldwell, Executive Assistant



## **Acknowledgments**

The Massachusetts Sentencing Commission would like to acknowledge the assistance of the many individuals and agencies who assisted in the preparation of this survey of sentencing practices. In particular, the commission is indebted to Commissioner John J. O'Brien and the staff of the Office of the Commissioner of Probation who maintain and update the Court Activity Record Information (CARI) database. Probation staff at many of the court sites provided assistance in completing this survey of sentencing practices by collecting additional defendant demographic information thereby substantially improving the quality of the data available for this report. The commission would also like to acknowledge the continued assistance of Barry La Croix, Executive Director of the Criminal History Systems Board, and his staff. The commission made extensive use of the computing facilities of the Criminal History Systems Board in the development of the survey methodology and in the data collection phase of the project. The commission had the assistance of a Northeastern cooperative education student, Kara E. Fielder, in the completion of this report.



## **Executive Summary**

The legislation which established the Massachusetts Sentencing Commission (commission) directed the commission to conduct a comprehensive survey of sentencing practices. This report updates earlier surveys of sentencing practices which began as part of the process of formulating sentencing guidelines. The present survey considers those individuals convicted in the courts of the commonwealth during FY 2000. The survey considers the nature of the sentence imposed following conviction, including sentences to probation or incarceration. Further, the survey presents the length of sentences imposed when those sentences include a period of incarceration. Summary information from previous surveys of sentencing practices, FY 1994 through FY 1999, is also included.

Throughout the report the sentencing guidelines grid is used as a framework for the analysis. This allows for the seriousness of the offense of conviction and the criminal history of the defendant to be considered in relation to observed sentencing practices.

Some highlights from the survey of sentencing practices are:

- There were an estimated 63,541 convicted defendants in FY 2000:
  - convictions decreased by 5,340 or 7.8% from FY 1999 (7.3% decrease in district court convictions and 15.3% decrease in superior court convictions);
  - convictions decreased by 27,970 or 30.6% from FY 1994 (31.1% decrease in district court convictions and 20.1% decrease in superior court convictions);
- Of the 63,541 convictions in FY 2000:
  - 94.6% were in the district court and
  - 5.4% were in the superior court;
- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
  - The overall incarceration rate was 32.0%:
    - the district court incarceration rate was 29.2%;
    - the superior court incarceration rate was 75.8%;
  - With respect to the sentencing zones on the sentencing guidelines grid:
    - 3.7% of the defendants were classified in the incarceration zone;
    - 64.4% of the defendants were classified in the discretionary zone;
    - 31.3% of the defendants were classified in the intermediate sanctions zone; and,
    - 0.6% of the defendants were not classified to a sentencing zone;

- Of the incarcerated defendants, 91.3% were committed to a house of correction and 8.7% were committed to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 39.2% were committed to a house of correction and 60.8% were committed to the DOC;
- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 60.0 months;
- For house of correction sentences, the median sentence length was 4.0 months;
- Of the incarcerated defendants, 39.6% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 54.5% also had a period of post release probation supervision.
- There were an estimated 710 convictions for mandatory drug offenses of which 45.4% were committed to a house of correction and 54.6% were committed to the DOC.
- For those defendants convicted of offenses not assigned to the sentencing grid:
  - There were an estimated 6,792 convictions for OUI offenses; and,
  - There were an estimated 151 convictions for mandatory firearms offenses.
- For all convicted defendants:
  - 14.5% of all convicted defendants were female;
  - 85.5% of all convicted defendants were male;
  - The mean age of convicted defendants at the time of disposition was 32.0 years, and ranged from 16 years to 89 years.
  - 62.6% of all convicted defendants were white;
  - 16.6% of all convicted defendants were black;
  - 15.7% of all convicted defendants were hispanic;
  - 2.1% of all convicted defendants were of other races; and,
  - the race was unknown for 3.1% of the defendants.
  - 19.9% of defendants convicted of mandatory drug offenses were white, and 80.1% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (30.1% were black, 48.6% were hispanic, and 1.4% were other races).



## Table of Contents

PART I. THE MASSACHUSETTS SENTENCING COMMISSION .....	1
BACKGROUND OF THE SENTENCING COMMISSION .....	1
<i>Sentencing Guidelines Grid</i> .....	2
CURRENT ROLE OF THE SENTENCING COMMISSION .....	2
<i>Monitoring</i> .....	2
<i>Training</i> .....	4
<i>Information Resource</i> .....	5
<i>Pilot Projects</i> .....	5
PART II. SURVEY OF SENTENCING PRACTICES .....	6
SENTENCING PRACTICES: OVERVIEW .....	6
<i>Sentencing Practices: Court Department</i> .....	6
<i>Sentencing Practices: County</i> .....	8
<i>Sentencing Practices: Truth-in-Sentencing Reform</i> .....	9
<i>Sentencing Practices: Number of Charges</i> .....	10
<i>Sentencing Practices: Type of Sentence Imposed</i> .....	11
<i>Sentencing Practices: Penalty Structure</i> .....	12
<i>Sentencing Practices: Grid Assignment</i> .....	13
SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID .....	15
<i>Sentencing Practices: Grid Cell Assignment</i> .....	15
<i>Sentencing Practices: Incarceration Rates</i> .....	21
District Court Incarceration Rates .....	23
Superior Court Incarceration Rates .....	25
<i>Sentencing Practices: Jurisdiction of Incarceration Sentences</i> .....	27
<i>Sentencing Practices: State Prison Sentences</i> .....	29
Minimum and Maximum Sentence Length .....	29
Minimum to Maximum Sentence Ratio and Difference .....	32
<i>Sentencing Practices: House of Correction Sentences</i> .....	34
<i>Sentencing Practices: Comparing Existing Sentences and Proposed</i> <i>Guidelines</i> .....	36
<i>Sentencing Practices: Post-Release Probation Supervision</i> .....	38
<i>Sentencing Practices: Type of Offense</i> .....	43
Type of Offense: Governing Offense .....	43
Type of Offense: Drug Offenses .....	47
Type of Offense: Mandatory Drug Offenses .....	49
SENTENCING PRACTICES: OFFENSES NOT ASSIGNED TO THE GRID ....	51
<i>Sentencing Practices: OUI Offenses</i> .....	51
<i>Sentencing Practices: Mandatory Firearms Offenses</i> .....	53

SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS .....	53
<i>Sentencing Practices: Defendant Gender</i> .....	54
<i>Sentencing Practices: Defendant Age at Disposition</i> .....	57
<i>Sentencing Practices: Defendant Race</i> .....	59
PART III. SUMMARY .....	62
APPENDIX A. METHOD .....	63
<i>Data Collection Method</i> .....	63
<i>Conviction Definition</i> .....	63
<i>Sampling Frame</i> .....	64
<i>Type of Sentence Imposed</i> .....	64
<i>Sentence Length</i> .....	67
<i>Offense Seriousness Level</i> .....	68
Staircased Offenses .....	69
<i>Sentencing Events</i> .....	71
<i>Criminal History Group</i> .....	72
Juvenile Criminal History .....	74
Youthful Offender Dispositions .....	75
<i>Sentencing Guidelines Grid Assignment</i> .....	76
<i>Truth-in-Sentencing Definition</i> .....	77
<i>Court Department</i> .....	78
<i>Jurisdiction</i> .....	78
<i>Comparison of Existing Sentencing and Proposed Sentencing Guidelines</i> ..	79
<i>Post-Release Probation Supervision</i> .....	80
<i>Demographic Characteristics</i> .....	81
APPENDIX B. ADDITIONAL STATISTICAL TABLES .....	83
<i>School Zone Offenders</i> .....	83
<i>Incarceration Status</i> .....	84
<i>State Prison Sentences</i> .....	85
<i>House of Correction Sentences</i> .....	85
<i>Type of Offense</i> .....	86

## List of Tables

Table 1. Month of Conviction by Court Department .....	6
Table 2. Convictions by Court Department, FY 1994 to FY 2000 .....	8
Table 3. County of Conviction by Court Department .....	8
Table 4. Truth-in-Sentencing Status by Court Department .....	9
Table 5. Truth-in-Sentencing Status, FY 1994 to FY 2000 .....	9
Table 6. Number of Charges Resulting in Conviction by Court Department .....	10
Table 7. Type of Sentence Imposed by Court Department .....	11
Table 8. Type of Sentence Imposed, FY 1994 to FY 2000 .....	12
Table 9. Penalty Structure of Governing Offense by Court Department .....	13
Table 10. Grid Assignment by Court Department .....	14
Table 11. Grid Assignment, FY 1994 to FY 2000 .....	14
Table 12. Grid Cell Assignment by Court Department .....	17
Table 13. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000 .....	18
Table 14. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000, District Court .....	19
Table 15. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000, Superior Court .....	20
Table 16. Incarceration Status by Grid Cell Assignment, All Courts .....	22
Table 17. Incarceration Status by Grid Cell Assignment, District Court .....	24
Table 18. Incarceration Status by Grid Cell Assignment, Superior Court .....	26
Table 19. Jurisdiction Status by Penalty Structure and Court Department .....	27
Table 20. Jurisdiction Status by Court Department, FY 1994 to FY 2000 .....	28
Table 21. State Prison Sentences: Minimum and Maximum Sentence Length .....	30
Table 22. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense .....	33
Table 23. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense .....	33
Table 24. House of Correction Sentences: Sentence Length by Court Department ....	35
Table 25. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense .....	37
Table 26. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department .....	39
Table 27. Type of Probation Sentence Imposed by Court Department .....	40
Table 28. Post-Release Probation Supervision by Type of Offense and Court Department .....	41
Table 29. Post Release Probation Supervision by Court Department, FY 1994 to FY 2000 .....	42
Table 30. Type of Offense by Offense Seriousness Level and Court Department ....	44
Table 31. Type of Offense by Court Department, FY 1994 to FY 2000 .....	45

Table 32. Type of Offense: Governing Offense and Secondary Offense . . . . .	46
Table 33. Drug Offenses: Nature of Offense and Class of Substance by Court Department . . . . .	48
Table 34. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department . . . . .	50
Table 35. Mandatory Drug Offenses: Jurisdiction by Court Department . . . . .	51
Table 36. OUI Offenses: Type of Sentence Imposed by Court Department . . . . .	52
Table 37. Defendant Gender by Court Department . . . . .	54
Table 38. Defendant Gender, FY 1994 to FY 2000 . . . . .	55
Table 39. Defendant Gender by Grid Cell Assignment . . . . .	56
Table 40. Defendant Age at Disposition by Court Department . . . . .	57
Table 41. Defendant Age at Disposition, FY 1994 to FY 2000 . . . . .	58
Table 42. Defendant Race By Court Department . . . . .	60
Table 43. Defendant Race by Type of Offense and Grid Assignment . . . . .	61
Table 44. Defendant Race, FY 1998 to FY 2000 . . . . .	62
Table 45. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment . . . . .	68
Table 46. Availability of Defendant Race by Selected Defendant Characteristics . . . . .	82
Table 47. Mandatory Drug Offenses: Selected Characteristics of Defendants Convicted of Distribution in School Zone by Court Department . . . . .	87
Table 48. Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts . . . . .	88
Table 49. Governing Offense by Grid Cell Assignment and Incarceration Status, District Court . . . . .	97
Table 50. Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court . . . . .	106
Table 51. State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment . . . . .	115
Table 52. State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment . . . . .	124
Table 53. House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment . . . . .	133
Table 54. Governing Offense by Type of Offense and Incarceration Status, All Courts . . . . .	142

## **List of Figures**

Figure 1. Sentencing Guidelines Grid .....	3
Figure 2. State Prison Sentences: Minimum Sentence Length .....	31
Figure 3. State Prison Sentences: Maximum Sentence Length .....	31
Figure 4. House of Correction Sentences: Sentence Length .....	35
Figure 5. Type of Offense by Court Department .....	44
Figure 6. Defendant Gender .....	54
Figure 7. Defendant Age at Disposition .....	58
Figure 8. Defendant Race .....	59



# **MASSACHUSETTS SENTENCING COMMISSION SURVEY OF SENTENCING PRACTICES FY 2000**

## **PART I. THE MASSACHUSETTS SENTENCING COMMISSION**

### **BACKGROUND OF THE SENTENCING COMMISSION**

The Massachusetts Sentencing Commission (commission) was established by Chapter 432 of the Acts of 1993 as “an independent commission within the judicial branch of the commonwealth”<sup>1</sup> whose purpose was “to recommend sentencing policies and practices for the commonwealth”.<sup>2</sup> Legislation pertaining to the commission was later codified in the Massachusetts General Laws as c. 211E.<sup>3</sup> The commission submitted its recommended sentencing guidelines in April 1996.<sup>4</sup> A legislative hearing on the report was held by the Joint Committee on Criminal Justice in July 1996. Sentencing guidelines legislation based on those recommendations was filed in December 1996.<sup>5</sup> In June 1997, the Joint Committee on Criminal Justice held a hearing on the sentencing guidelines legislation. The guidelines legislation did not come to a vote in the 1997-1998 legislative session and the sentencing guidelines legislation was re-filed for consideration in the 1999-2000 legislative session and in the 2001-2002 legislative session.<sup>6</sup> The Joint Committee on Criminal Justice held hearings on this legislation in May 1999 and May 2001.<sup>7</sup>

---

<sup>1</sup> St. 1993, c. 432 §1(a).

<sup>2</sup> St. 1993, c. 432 § 2.

<sup>3</sup> St. 1996, c. 12.

<sup>4</sup> Massachusetts Sentencing Commission, *Report to the General Court*, April 10, 1996.

<sup>5</sup> Filed for the 1997-1998 legislative session as Senate No. 135 and House No. 2634.

<sup>6</sup> Filed for the 1999-2000 legislative session as Senate No. 198 and House No. 1521.

<sup>7</sup> Filed for the 2001-2002 legislative session as Senate No. 1004 and House No. 3497.

## **Sentencing Guidelines Grid**

The proposed sentencing guidelines are in the form of a sentencing guidelines grid. The vertical axis of the grid is comprised of nine levels of offense seriousness, ranging from level 1, the lowest level of offense seriousness, to level 9, the highest level of offense seriousness. The horizontal axis of the grid is comprised of five categories of defendant criminal history, ranging from criminal history category A, “No/Minor Record” to criminal history category E, “Serious Violent Record”. The resulting grid, comprising a total of forty-five cells, is also divided into three sentencing zones: the “incarceration zone”; the “discretionary zone”; and, the “intermediate sanction” zone. A detailed description of proposed sentencing guidelines can be found in the *Report to the General Court*.<sup>8</sup> The sentencing guidelines grid is shown in Figure 1. The definition of the criminal history groups is contained in Appendix A.

## **CURRENT ROLE OF THE SENTENCING COMMISSION**

The mission of the commission is to promote truth-in-sentencing by formulating uniform sentencing policies, developing systematic sentencing guidelines, and integrating intermediate sanctions within the sentencing guidelines.

### **Monitoring**

In developing the sentencing guidelines, the legislation directed the commission to conduct a comprehensive survey of sentencing practices:

The commission shall conduct an empirical study in order to ascertain, to the extent practical, a survey of those individuals appearing before the commonwealth’s criminal courts, and those committed to probation, prison and jail. It should also include the average sentence imposed for all offenses prior to the promulgation by the commission of the sentencing guidelines, and the length of prison terms actually served in those cases.<sup>9</sup>

---

<sup>8</sup> Massachusetts Sentencing Commission, *op. cit.*

<sup>9</sup> G.L. c. 211E § 3(c).



**Figure 1. Sentencing Guidelines Grid**

Level	Illustrative Offense	Sentence Range				
9	Murder	Life	Life	Life	Life	Life
8	Rape of Child with Force Aggravated Rape Armed Burglary	96 - 144 Mos.	108 - 162 Mos.	120 - 180 Mos.	144 - 216 Mos.	204 - 306 Mos.
7	Armed Robbery (Gun) Rape Mayhem	60 - 90 Mos.	68 - 102 Mos.	84 - 126 Mos.	108 - 162 Mos.	160 - 240 Mos.
6	Manslaughter (Invol) Armed Robbery (No gun) A&B DW (Sign. injury)	40 - 60 Mos.	45 - 67 Mos.	50 - 75 Mos.	60 - 90 Mos.	80 - 120 Mos.
5	Unarmed Robbery Stalking (Viol. of Order) Unarmed Burglary Larceny (\$50,000+)	12 - 36 Mos. IS-IV IS-III IS-II	24 - 36 Mos. IS-IV IS-III IS-II	36 - 54 Mos.	48 - 72 Mos.	60 - 90 Mos.
4	Larceny From a Person A&B DW (Mod. injury) B&E (Dwelling) Larceny (\$10,000-\$50,000)	0 - 24 Mos. IS-IV IS-III IS-II	3 - 30 Mos. IS-IV IS-III IS-II	6 - 30 Mos. IS-IV IS-III IS-II	20 - 30 Mos.	24 - 36 Mos.
3	A&B DW (No/minor injury) B&E (Not dwelling) Larceny (\$250 to \$10,000)	0 - 12 Mos. IS-IV IS-III IS-II IS-I	0 - 15 Mos. IS-IV IS-III IS-II IS-I	0 - 18 Mos. IS-IV IS-III IS-II IS-I	0 - 24 Mos. IS-IV IS-III IS-II	6 - 24 Mos. IS-IV IS-III IS-II
2	Assault Larceny Under \$250	IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 9 Mos. IS-IV IS-III IS-II IS-I	0 - 12 Mos. IS-IV IS-III IS-II IS-I
1	Operate After Suspension Disorderly Conduct Vandalism	IS-II IS-I	IS-III IS-II IS-I	IS-III IS-II IS-I	0 - 3 Mos. IS-IV IS-III IS-II IS-I	0 - 6 Mos. IS-IV IS-III IS-II IS-I
Criminal History Scale		A No/Minor Record	B Moderate Record	C Serious Record	D Violent or Repetitive	E Serious Violent
Sentencing Zone		Intermediate Sanction Level				
Incarceration Zone		IS-IV 24-Hour Restriction				
Discretionary Zone (Incarceration/Intermediate Sanctions)		IS-III Daily Accountability				
Intermediate Sanction Zone		IS-II Standard Supervision				
		IS-I Financial Accountability				

*The numbers in each cell represent the range from which the judge selects the maximum sentence (Not More Than);  
The minimum sentence (Not Less Than) is 2/3rds of the maximum sentence and constitutes the initial parole eligibility date.*

The commission included a survey of sentencing practices when completing its 1996 recommendations.<sup>10</sup> The original survey of sentencing practices covered the period of FY 1994, or July 1, 1993 through June 30, 1994. This report continues the published series of annual surveys of sentencing practices by providing data for FY 2000.

Further, the commission has ongoing responsibilities for monitoring sentencing practices:

The commission periodically shall assess the impact of the sentencing guidelines in order to determine the type and amount of correctional resources needed. In particular, the commission shall examine the impact of said guidelines on intermediate sanctions and correctional institutions and may consult with all appropriate authorities for this purpose.<sup>11</sup>

The commission continues to meet these ongoing monitoring requirements through publication of annual surveys of sentencing practices for each fiscal year beginning with FY 1994 and through other specialized studies of sentencing issues such as the recently published study of the impact of truth-in-sentencing reform.<sup>12</sup> In FY 2002, the commission anticipates completing a comprehensive recidivism study. House 4100, the FY 2002 budget, directs the commission to conduct a study of recidivism rates, including offenders from the Department of Correction (DOC), houses of correction, community corrections centers, and drug courts.

## **Training**

The proposed sentencing guidelines are currently in voluntary use in many courts. The commission is involved in training court practitioners in the use of sentencing guidelines. The commission developed a *Sentencing Guide* for use by court practitioners when referring to the proposed guidelines during sentencing.<sup>13</sup> The commission recently updated the *Felony and Misdemeanor Master Crime List* which contains basic sentencing information for those criminal offenses which are punishable by an imprisonment term and serves as a reference guide to the proposed sentencing guidelines for those offenses.<sup>14</sup>

---

<sup>10</sup> Massachusetts Sentencing Commission, *op. cit.*

<sup>11</sup> G.L. c. 211E § 3(f).

<sup>12</sup> Massachusetts Sentencing Commission, *Survey of Sentencing Practices: Truth-in-Sentencing Reform in Massachusetts*, October 2000.

<sup>13</sup> Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

<sup>14</sup> Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, November 1999.

## **Information Resource**

The commission is also responsible to:

. . . serve as a clearinghouse for the collection, preparation, and dissemination of information on sentencing practices and assist courts, departments, and agencies in the development, maintenance, and coordination of sound sentencing practices.<sup>15</sup>

The current report serves to meet this responsibility of the commission.

## **Pilot Projects**

The commission conducted pilot projects in the superior court and at three district court sites to consider the impact of the proposed sentencing guidelines on court operations and to assess the use of sentencing guidelines as a framework for sentencing defendants to intermediate sanctions.<sup>16</sup> These pilot projects combine to encourage the voluntary use of the guidelines and to develop knowledge that will be useful for full implementation of sentencing guidelines. The commission supports the development of intermediate sanctions and completed a data demonstration project in conjunction with the Office of Community Corrections that developed a data collection strategy to support future research and evaluation efforts of these new sentencing options.<sup>17</sup>

---

<sup>15</sup> G.L. c. 211E § 1(c)(7).

<sup>16</sup> Massachusetts Sentencing Commission, *Special Report to the Commission: Superior Court Pilot Sentencing Project - Report of Findings*, May 1996; Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project, Findings from the Lynn District Court*, May 1997; and Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project: Findings from the Haverhill District Court*, July 1997. Other pilot sites included Worcester Central District Court and the Hampden Superior Court.

<sup>17</sup> Massachusetts Sentencing Commission and Office of Community Corrections, *Community Corrections Centers Data Demonstration Project*, March 2001.

## **PART II. SURVEY OF SENTENCING PRACTICES**

The results of the survey of sentencing practices are presented in this section. Additional statistical results are presented in Appendix B. The method used to develop the statistical estimates of sentencing practices is described in Appendix A.

### **SENTENCING PRACTICES: OVERVIEW**

#### **Sentencing Practices: Court Department**

Fiscal Year 2000 (FY 2000) covers the period July 1, 1999 through June 30, 2000. During this period there were an estimated 63,541 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 60,080 convictions in the district court, representing 94.6% of all convictions, and 3,461 convictions in the superior court, representing 5.4% of all convictions.

**Table 1. Month of Conviction by Court Department**

Month of Conviction	District Court	Superior Court	All Courts
July 1999	5,101	296	5,397
August 1999	5,012	277	5,289
September 1999	5,414	326	5,740
October 1999	5,278	246	5,524
November 1999	4,966	302	5,268
December 1999	4,810	270	5,080
January 2000	5,063	285	5,348
February 2000	4,857	305	5,162
March 2000	5,407	345	5,752
April 2000	4,331	210	4,541
May 2000	5,031	312	5,343
June 2000	4,810	287	5,097
Total	60,080	3,461	63,541

Table 2 shows the estimated number of convictions by court department for the seven year period, FY 1994 through FY 2000. During this period there was a decrease in the number of convictions, from 91,511 in FY 1994 to 63,541 in FY 2000, a decrease of 27,970 convictions or 30.6%.<sup>18 19</sup> As indicated in Table 2, the decrease in convictions occurred in both court departments. The number of convictions in the district court decreased from 87,182 in FY 1994 to 60,080 in FY 2000, a decrease of 31.1%. The number of convictions in the superior court decreased from 4,329 in FY 1994 to 3,461 in FY 2000, a decrease of 20.1%.

<sup>18</sup> A decrease in the number of arraignments during this period has also been reported:

Year	District Court	DUIL	District / Superior Court
FY 1994	227,891	22,779	250,670
FY 1995	232,063	20,878	252,941
FY 1996	221,523	20,084	241,607
FY 1997	222,856	20,501	243,357
FY 1998	217,567	18,863	236,430
FY 1999	206,952	18,191	225,143
FY 2000	200,288	17,908	218,196

Source: Supreme Judicial Court, Annual Report on the State of the Massachusetts Court System, Boston, FY 1996 to FY 2000.

<sup>19</sup> A decrease in the crime rate in Massachusetts, the estimated number of offenses known to police per 100,000 population, during this period was also reported:

Year	Crime Index Total	Violent Crime	Property Crime	Murder / Mansl.	Forcible Rape	Robbery	Agg. Assault	Burglary	Larceny / Theft	MV Theft
1993	4893.9	804.9	4089.0	3.9	33.4	175.7	592.0	1001.7	2271.3	816.1
1994	4441.0	707.6	3733.4	3.5	30.2	168.2	505.7	881.0	2151.3	701.0
1995	4341.6	687.2	3654.4	3.6	29.0	150.4	504.2	817.7	2232.2	604.5
1996	3837.1	642.2	3194.9	2.6	29.0	127.7	482.9	704.1	1962.6	528.2
1997	3675.2	644.2	3031.0	1.9	26.9	109.1	506.2	661.8	1887.8	481.4
1998	3435.9	621.3	2814.6	2.0	27.4	96.6	495.2	607.3	1777.7	429.5
1999	3262.5	551.0	2711.5	2.0	26.9	96.0	426.0	533.8	1762.7	415.0
%Change	-33.3%	-31.5%	-33.7%	-48.7%	-19.5%	-45.4%	-28.0%	-46.7%	-22.4%	-49.1%

Source: Federal Bureau of Investigation, Crime in the United States, Washington, D.C., 1995 to 1999 and Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics, Washington, D.C., 1994 and 1995.

**Table 2. Convictions by Court Department, FY 1994 to FY 2000**

Year of Conviction	District Court	Superior Court	All Courts
FY 1994	87,182	4,329	91,511
FY 1995	79,084	4,540	83,624
FY 1996	75,607	4,403	80,010
FY 1997	73,455	4,229	77,684
FY 1998	70,373	4,321	74,694
FY 1999	64,794	4,087	68,881
FY 2000	60,080	3,461	63,541

**Sentencing Practices: County**

There are fourteen counties in Massachusetts. As indicated in Table 3, the number of convictions ranged from 76 in Nantucket County to 10,698 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Hampden, Essex, Bristol, Plymouth and Norfolk) accounted for 90.4% of all convictions in Massachusetts.

**Table 3. County of Conviction by Court Department**

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,790	119	1,909
Berkshire	1,548	120	1,668
Bristol	6,472	237	6,709
Dukes	148	0	148
Essex	6,635	284	6,919
Franklin	857	39	896
Hampden	6,312	616	6,928
Hampshire	1,329	75	1,404
Middlesex	8,351	556	8,907
Nantucket	76	0	76
Norfolk	3,689	205	3,894
Plymouth	4,105	157	4,262
Suffolk	8,477	646	9,123
Worcester	10,291	407	10,698
Total	60,080	3,461	63,541

**Sentencing Practices: Truth-in-Sentencing Reform**

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2000, an estimated 1.7% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 98.3% were sentenced under post-truth-in-sentencing provisions (new law). Table 4 shows estimates for the sentencing law under which defendants were sentenced by court department.

**Table 4. Truth-in-Sentencing Status by Court Department**

Sentencing Law	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Old Law	1,002	1.7%	89	2.6%	1,091	1.7%
New Law	59,078	98.3%	3,372	97.4%	62,450	98.3%
Total	60,080	100.0%	3,461	100.0%	63,541	100.0%

Table 5 shows the truth-in-sentencing status of cases convicted over the seven year period, FY 1994 to FY 2000. In FY 1994, all of the convicted cases were sentenced under the provisions of the old law. By FY 2000, 1.7% of the cases were sentenced under the provisions of the old law.

**Table 5. Truth-in-Sentencing Status, FY 1994 to FY 2000**

Year of Conviction	Old Law		New Law		Total	
	N	%	N	%	N	%
FY 1994	91,511	100.0%	0	0.0%	91,511	100.0%
FY 1995	28,340	33.9%	55,284	66.1%	83,624	100.0%
FY 1996	7,936	9.9%	72,074	90.1%	80,010	100.0%
FY 1997	4,024	5.2%	73,660	94.8%	77,684	100.0%
FY 1998	2,444	3.3%	72,250	96.7%	74,694	100.0%
FY 1999	1,564	2.3%	67,317	97.7%	68,881	100.0%
FY 2000	1,091	1.7%	62,450	98.3%	63,541	100.0%

**Sentencing Practices: Number of Charges**

At the time of conviction a defendant can be sentenced for one or more charges. Table 6 shows the number of charges resulting in conviction at the current sentencing event by court department. The number of convicted charges ranged from 1 to 239 and the mean number of charges resulting in conviction was 2.0. Overall, 36,218, or 57.0% of the defendants were convicted of a single charge and 27,323, or 43.0% were convicted of two or more charges. The proportion of defendants convicted of multiple charges was higher in the superior court than in the district court

- 24,922 or 41.5% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 2.0; and,
- 2,401 or 69.4% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.2.

**Table 6. Number of Charges Resulting in Conviction by Court Department**

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	35,158	58.5%	1,060	30.6%	36,218	57.0%
Two	12,743	21.2%	942	27.2%	13,685	21.5%
Three	5,724	9.5%	513	14.8%	6,237	9.8%
Four	2,656	4.4%	332	9.6%	2,988	4.7%
Five to Nine	3,231	5.4%	476	13.8%	3,707	5.8%
Ten or More	568	0.9%	138	4.0%	706	1.1%
Total	60,080	100.0	3,461	100.0	63,541	100.0
Highest	97		239		239	
Mean	2.0		3.2		2.0	



**Sentencing Practices: Type of Sentence Imposed**

Table 7 shows the type of sentence imposed for all convicted defendants: life, state prison, other DOC, house of correction, house of correction / split, probation, fine, and other. The most frequently imposed type of sentence was probation.

As indicated in Table 7, the type of sentence imposed differed in the district court and the superior court. The district court can not impose sentences to the state prison. Therefore, there are no district court sentences of life, state prison, or other DOC. All sentencing options are available in the superior court.

An estimated 52 defendants received a sentence to life. Of the 52 convicted defendants who received a life sentence, 42 were convicted of murder and 10 were convicted of other offenses (aggravated rape (2), assault w/i rape second offense (2), armed robbery (1), armed burglary (1), rape of child (1), assault w/i rape child (1), rape of child second offense (1), and accessory before the offense of second degree murder(1)).

**Table 7. Type of Sentence Imposed by Court Department**

Type of Sentence	District Court	Superior Court	All Courts
Life		52	52
State Prison		1,527	1,527
Other DOC		20	20
House of Correction	11,254	726	11,980
House of Correction / Split	5,286	331	5,617
Probation	31,877	774	32,651
Fine	7,278	4	7,282
Other	4,385	27	4,412
Total	60,080	3,461	63,541

Table 8 shows estimates for the type of sentence imposed for all convicted defendants for the seven year period, FY 1994 to FY 2000. The decline in the number of sentences in the other DOC sentence category can be attributed to the impact of the truth-in-sentencing legislation.

**Table 8. Type of Sentence Imposed, FY 1994 to FY 2000**

Type of Sentence	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Life	89	88	85	100	91	84	52
State Prison	1,518	1,776	1,910	1,910	1,941	1,795	1,527
Other DOC	859	585	189	54	28	15	20
House of Correction	14,772	14,486	14,725	14,574	14,696	13,416	11,980
House of Correction / Split	6,915	6,548	6,505	6,540	5,899	5,618	5,617
Probation	45,236	39,727	36,963	36,540	36,845	34,363	32,651
Fine	17,010	15,261	14,277	12,603	10,220	8,670	7,282
Other	5,112	5,153	5,356	5,363	4,974	4,920	4,412
Total	91,511	83,624	80,010	77,684	74,694	68,881	63,541

**Sentencing Practices: Penalty Structure**

In Massachusetts, felonies are defined as any offense punishable by imprisonment in the state prison, and misdemeanors are all other offenses.<sup>20</sup> For many felonies, judges have the option to sentence an offender to state prison or to a house of correction. Table 9 shows the penalty structure associated with the governing offense by court department. For purposes of this analysis, governing offenses were divided into four categories: felony with no house of correction alternative (e.g. robbery), felony with house of correction alternative (and no district court jurisdiction) (e.g. mayhem), felony with house of correction alternative (and district court jurisdiction)(e.g. A&B with dangerous weapon), and misdemeanor (e.g. A&B).

As indicated in Table 9, 29.7% of all defendants were convicted of felonies and 70.3% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 26.2% were convicted of felonies and 73.8% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 89.9% were convicted of felonies and 10.1% were convicted of misdemeanors.

---

<sup>20</sup> M.G.L. C. 274 § 1.

**Table 9. Penalty Structure of Governing Offense by Court Department**

Penalty Structure	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Felony / No House Alternative	0	0.0%	888	25.7%	888	1.4%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	492	14.2%	492	0.8%
Felony / House Alternative / District Court Jurisdiction	15,745	26.2%	1,733	50.1%	17,478	27.5%
Sub-Total Felonies	15,745	26.2%	3,113	89.9%	18,858	29.7%
Misdemeanor	44,335	73.8%	348	10.1%	44,683	70.3%
Total	60,080	100.0%	3,461	100.0%	63,541	100.0%

### Sentencing Practices: Grid Assignment

Based on governing offense, convicted defendants were classified as to the applicability of the sentencing guidelines grid. The sentencing guidelines grid was not intended to be used for sentencing all defendants. Consistent with proposed sentencing guidelines, three major defendant groups were not assigned to the sentencing guidelines grid:

(1) defendants convicted of OUI offenses, (2) defendants convicted of mandatory firearms offenses; and, (3) defendants convicted of offenses for which there is no jail option.

For purposes of statistical reporting, defendants convicted of murder were assigned to the sentencing guidelines grid. The mandatory life sentence for murder is not impacted by the proposed sentencing guidelines. The commission assigned the offense of murder to level 9, but murder is not subject to the sentencing guidelines.

As shown in Table 10, it was estimated that 55,332 or 87.1% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 8,209 or 12.9% of all defendants were convicted of offenses for which the sentencing guidelines grid did not apply. Of the defendants convicted of offenses for which the sentencing guidelines grid did not apply: 6,792 or 10.7% of all defendants were convicted of OUI offenses; 151 or 0.2% were convicted of mandatory firearms offenses; and, 1,266 or 2.0% were convicted of non-jailable offenses.

**Table 10. Grid Assignment by Court Department**

Grid Assignment	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Assigned to Grid	52,008	86.6%	3,324	96.0%	55,332	87.1%
Not Assigned to Grid						
OUI Offenses	6,759	11.3%	33	1.0%	6,792	10.7%
Mandatory Gun Offenses	47	0.1%	104	3.0%	151	0.2%
Non-jailable Offenses	1,266	2.1%	0	0.0%	1,266	2.0%
Sub-total	8,072	13.4%	137	4.0%	8,209	12.9%
Total	60,080	100.0%	3,461	100.0%	63,541	100.0%

Table 11 shows the grid assignment of all convicted defendants for the period FY 1994 to FY 2000. The number of convictions decreased in all categories during this period:

- there was a decrease of 19,648 or 26.2% in the number of convictions assigned to the grid; and,
- there was a decrease of 8,322 or 50.3% in the number of convictions for offenses not assigned to the grid.

**Table 11. Grid Assignment, FY 1994 to FY 2000**

Grid Assignment	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	Change	%
Assigned to Grid	74,980	70,729	68,617	66,172	64,318	59,484	55,332	-19,648	-26.2%
Not Assigned to Grid									
OUI Offenses	13,777	10,397	9,191	9,273	8,332	7,646	6,792	-6,985	-50.7%
Mandatory Gun Offenses	212	168	184	157	145	171	151	-61	-28.8%
Non-jailable Offenses	2,542	2,330	2,018	2,082	1,899	1,580	1,266	-1,276	-50.2%
Sub-total	16,531	12,895	11,393	11,512	10,376	9,397	8,209	-8,322	-50.3%
Total	91,511	83,624	80,010	77,684	74,694	68,881	63,541	-27,970	-30.6%

## **SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID**

In this section, the sentencing practices related to the 55,332 defendants convicted of offenses for which the sentencing guidelines grid applies are discussed.

### **Sentencing Practices: Grid Cell Assignment**

Table 12 shows the grid cell assignment of all convicted defendants by court department and is useful in contrasting the volume and type of cases in district and superior court. The number in each grid cell represents the total number of defendants who were convicted of an offense at that offense seriousness level and whose criminal history was classified in the corresponding criminal history group.

*Sentencing Zone.* Most defendants were classified into the discretionary zone on the grid. Of the 55,332 convicted defendants:

- an estimated 2,047 or 3.7% were classified within the incarceration zone;
- an estimated 35,656 or 64.4% were classified within the discretionary zone;
- an estimated 17,293 or 31.3% were classified within the intermediate sanction zone; and,
- an estimated 336 or 0.6% were not classified into a specific zone.

In both the district court and the superior court, the most frequently occurring classification was the discretionary zone on the sentencing guidelines grid: 65.2% of the defendants convicted in the district court and 53.0% of the defendants convicted in the superior court were classified in the discretionary zone. Defendants convicted in superior court were more likely than their district court counterparts to be classified within the incarceration zone on the sentencing guidelines grid: an estimated 39.7% of the defendants convicted in the superior court were classified in the incarceration zone compared to 1.4% of the defendants convicted in the district court. Defendants convicted in district court were more likely to be classified within the intermediate sanction zone on the sentencing guidelines grid than their superior court counterparts: 33.0% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 4.2% of the defendants convicted in the superior court.

*Offense Seriousness Level.* Most defendants were convicted of offenses in the lower levels of offense seriousness: an estimated 48,977 or 88.5% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 5,637 or 10.2% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an

estimated 382 or 0.7% of the convicted defendants were assigned to offense seriousness levels 7 through 9.

The most frequently occurring offense seriousness level was level 3 with an estimated 19,376 of all convictions (35.0%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 18,811 or 36.2% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,073 or 32.3% of all superior court convictions.

*Criminal History Group.* Most convicted defendants were assigned to the less serious criminal history groups on the sentencing guidelines grid. The most frequently assigned criminal history group was Group A, No/Minor Record, which accounted for 21,029 or 38.0% of all convicted defendants. The most serious criminal history group, Group E, accounted for 50 or 0.1% of the convicted defendants. The criminal history of defendants was more serious among those convicted in the superior court than the district court. Of the defendants convicted in the district court, 16,957 or 32.6% were assigned to criminal history groups C, D, or E. In comparison, of the defendants convicted in the superior court, 1,254 or 37.7% were assigned to criminal history groups C, D, or E.

*Grid Cell.* The most frequently occurring grid cell was “2A”: 7,095 or 12.8% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 6,978 or 13.4% of all defendants convicted in the district court were assigned to grid cell “2A”. As indicated in Table 49, the four most frequently occurring offenses in grid cell “2A” in the district court were shoplifting, compulsory insurance violation, operating to endanger, and operating after suspension, 2nd. In the superior court, the most frequently occurring grid cell was “4A”: 399 or 12.0% of all defendants convicted in the superior court were assigned to grid cell “4A”. As indicated in Table 50, the four most frequently occurring offenses in grid cell “4A” in the superior court were CSA distribution Class B, CSA distribution cocaine, CSA distribution Class A, and CSA distribution in a school zone.

*Survey of Sentencing Practices*

**Table 12. Grid Cell Assignment by Court Department**

DISTRICT COURT								SUPERIOR COURT								ALL COURTS							
	A	B	C	D	E	N	%		A	B	C	D	E	N	%		A	B	C	D	E	N	%
9	0	0	0	0	0	0	0.0%	9	17	11	7	7	0	42	1.3%	9	17	11	7	7	0	42	0.1%
8	0	0	0	0	0	0	0.0%	8	48	23	23	16	1	111	3.3%	8	48	23	23	16	1	111	0.2%
7	0	0	0	0	0	0	0.0%	7	88	53	42	43	3	229	6.9%	7	88	53	42	43	3	229	0.4%
6	3	1	3	1	0	8	0.0%	6	245	122	111	105	2	585	17.6%	6	248	123	114	106	2	593	1.1%
5	172	168	134	82	0	556	1.1%	5	135	81	66	90	1	373	11.2%	5	307	249	200	172	1	929	1.7%
4	1,103	814	622	499	4	3,042	5.8%	4	399	260	218	193	3	1,073	32.3%	4	1,502	1,074	840	692	7	4,115	7.4%
3	6,532	5,556	3,763	2,950	10	18,811	36.2%	3	224	106	92	142	1	565	17.0%	3	6,756	5,662	3,855	3,092	11	19,376	35.0%
2	6,978	5,331	3,170	2,394	16	17,889	34.4%	2	117	45	25	30	1	218	6.6%	2	7,095	5,376	3,195	2,424	17	18,107	32.7%
1	4,823	3,427	1,925	1,285	8	11,468	22.1%	1	13	7	3	3	0	26	0.8%	1	4,836	3,434	1,928	1,288	8	11,494	20.8%
N.A.	76	67	47	44	0	234	0.4%	N.A.	56	20	13	13	0	102	3.1%	N.A.	132	87	60	57	0	336	0.6%
Total	19,687	15,364	9,664	7,255	38	52,008	100.0%	Total	1,342	728	600	642	12	3,324	100.0%	Total	21,029	16,092	10,264	7,897	50	55,332	100.0%
%	37.9%	29.5%	18.6%	13.9%	0.1%	100.0%		%	40.4%	21.9%	18.1%	19.3%	0.4%	100.0%		%	38.0%	29.1%	18.5%	14.3%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration (Red) Zone	727	1.4%
Discretionary (Yellow) Zone	33,894	65.2%
Intermediate Sanction (Green) Zone	17,153	33.0%
Unassigned	234	0.4%
Total	52,008	100.0%

Sentencing Zone	N	%
Incarceration (Red) Zone	1,320	39.7%
Discretionary (Yellow) Zone	1,762	53.0%
Intermediate Sanction (Green) Zone	140	4.2%
Unassigned	102	3.1%
Total	3,324	100.0%

Sentencing Zone	N	%
Incarceration (Red) Zone	2,047	3.7%
Discretionary (Yellow) Zone	35,656	64.4%
Intermediate Sanction (Green) Zone	17,293	31.3%
Unassigned	336	0.6%
Total	55,332	100.0%

Table 13 shows the grid cell assignment of convicted defendants over the period FY 1994 to FY 2000. With the exception of defendants assigned to offense seriousness level 5 and criminal history group E, there were decreases in every category.

**Table 13. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000**

Grid Cell Assignment	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	Change	%
<b>Offense Seriousness Level</b>									
Level 9	72	77	76	90	85	77	42	-30	-41.7%
Level 8	180	172	140	122	129	107	111	-69	-38.3%
Level 7	343	340	284	279	278	236	229	-114	-33.2%
Level 6	954	963	809	703	770	743	593	-361	-37.8%
Level 5	831	756	667	678	786	876	929	98	11.8%
Level 4	6,206	5,384	5,587	4,969	4,931	4,625	4,115	-2,091	-33.7%
Level 3	23,201	22,206	21,810	21,721	22,052	20,680	19,376	-3,825	-16.5%
Level 2	24,370	22,966	22,183	21,367	20,369	18,941	18,107	-6,263	-25.7%
Level 1	18,301	17,302	16,618	15,759	14,547	12,863	11,494	-6,807	-37.2%
Not Assigned	522	563	443	484	371	336	336	-186	-35.6%
Total	74,980	70,729	68,617	66,172	64,318	59,484	55,332	-19,648	-26.2%
<b>Criminal History Group</b>									
Group A	33,357	30,738	29,087	28,369	26,613	23,790	21,029	-12,328	-37.0%
Group B	21,508	20,523	20,054	18,988	18,614	17,038	16,092	-5,416	-25.2%
Group C	11,556	11,186	11,075	10,853	10,826	10,513	10,264	-1,292	-11.2%
Group D	8,513	8,232	8,346	7,925	8,207	8,090	7,897	-616	-7.2%
Group E	46	50	55	37	58	53	50	4	8.7%
Total	74,980	70,729	68,617	66,172	64,318	59,484	55,332	-19,648	-26.2%
<b>Sentencing Zone</b>									
Incarceration Zone	2,791	2,677	2,422	2,202	2,363	2,248	2,047	-744	-26.7%
Discretionary Zone	43,026	41,128	40,694	39,644	39,800	37,606	35,656	-7,370	-17.1%
Intermediate Sanction Zone	28,641	26,361	25,058	23,842	21,784	19,294	17,293	-11,348	-39.6%
Not Assigned	522	563	443	484	371	336	336	-186	-35.6%
Total	74,980	70,729	68,617	66,172	64,318	59,484	55,332	-19,648	-26.2%



Table 14 shows the grid cell assignment over the period FY 1994 to FY 2000 for those defendants convicted in the district court. With the exception of defendants assigned to offense seriousness level 5 and 6, and criminal history group E, there were decreases in every category.

**Table 14. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000, District Court**

Grid Cell Assignment	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	Change	%
<b>Offense Seriousness Level</b>									
Level 9	0	0	0	0	0	0	0	0	N.A.
Level 8	0	0	0	0	0	0	0	0	N.A.
Level 7	0	0	0	0	0	0	0	0	N.A.
Level 6	2	11	5	7	5	5	8	6	300.0%
Level 5	398	292	230	250	340	462	556	158	39.7%
Level 4	4,985	4,113	4,126	3,612	3,604	3,251	3,042	-1,943	-39.0%
Level 3	22,603	21,479	21,138	21,035	21,313	20,016	18,811	-3,792	-16.8%
Level 2	24,123	22,713	21,935	21,115	20,096	18,730	17,889	-6,234	-25.8%
Level 1	18,234	17,269	16,598	15,696	14,501	12,839	11,468	-6,766	-37.1%
Not Assigned	402	424	345	387	281	235	234	-168	-41.8%
Total	70,747	66,301	64,377	62,102	60,140	55,538	52,008	-18,739	-26.5%
<b>Criminal History Group</b>									
Group A	31,560	28,902	27,380	26,740	24,886	22,192	19,687	-11,873	-37.6%
Group B	20,589	19,532	19,126	18,084	17,685	16,109	15,364	-5,225	-25.4%
Group C	10,795	10,410	10,298	10,132	10,095	9,865	9,664	-1,131	-10.5%
Group D	7,770	7,418	7,532	7,113	7,426	7,329	7,255	-515	-6.6%
Group E	33	39	41	33	48	43	38	5	15.2%
Total	70,747	66,301	64,377	62,102	60,140	55,538	52,008	-18,739	-26.5%
<b>Sentencing Zone</b>									
Incarceration Zone	822	661	636	543	648	680	727	-95	-11.6%
Discretionary Zone	41,097	39,015	38,500	37,507	37,612	35,457	33,894	-7,203	-17.5%
Intermediate Sanction Zone	28,426	26,201	24,896	23,665	21,599	19,166	17,153	-11,273	-39.7%
Not Assigned	402	424	345	387	281	235	234	-168	-41.8%
Total	70,747	66,301	64,377	62,102	60,140	55,538	52,008	-18,739	-26.5%

Table 15 shows the grid cell assignment over the period FY 1994 to FY 2000 for those defendants convicted in the superior court. There were overall decreases in the number of convictions during this period in all offense seriousness levels and criminal history groups.

**Table 15. Sentencing Guidelines Grid Characteristics, FY 1994 to FY 2000, Superior Court**

Grid Cell Assignment	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	Change	%
<b>Offense Seriousness Level</b>									
Level 9	72	77	76	90	85	77	42	-30	-41.7%
Level 8	180	172	140	122	129	107	111	-69	-38.3%
Level 7	343	340	284	279	278	236	229	-114	-33.2%
Level 6	952	952	804	696	765	738	585	-367	-38.6%
Level 5	433	464	437	428	446	414	373	-60	-13.9%
Level 4	1,221	1,271	1,461	1,357	1,327	1,374	1,073	-148	-12.1%
Level 3	598	727	672	686	739	664	565	-33	-5.5%
Level 2	247	253	248	252	273	211	218	-29	-11.7%
Level 1	67	33	20	63	46	24	26	-41	-61.2%
Not Assigned	120	139	98	97	90	101	102	-18	-15.0%
Total	4,233	4,428	4,240	4,070	4,178	3,946	3,324	-909	-21.5%
<b>Criminal History Group</b>									
Group A	1,797	1,836	1,707	1,629	1,727	1,598	1,342	-455	-25.3%
Group B	919	991	928	904	929	929	728	-191	-20.8%
Group C	761	776	777	721	731	648	600	-161	-21.2%
Group D	743	814	814	812	781	761	642	-101	-13.6%
Group E	13	11	14	4	10	10	12	-1	-7.7%
Total	4,233	4,428	4,240	4,070	4,178	3,946	3,324	-909	-21.5%
<b>Sentencing Zone</b>									
Incarceration Zone	1,969	2,016	1,786	1,659	1,715	1,568	1,320	-649	-33.0%
Discretionary Zone	1,929	2,113	2,194	2,137	2,188	2,149	1,762	-167	-8.7%
Intermediate Sanction Zone	215	160	162	177	185	128	140	-75	-34.9%
Not Assigned	120	139	98	97	90	101	102	-18	-15.0%
Total	4,233	4,428	4,240	4,070	4,178	3,946	3,324	-909	-21.5%

### **Sentencing Practices: Incarceration Rates**

Sentences were assigned to one of two groups: those involving some period of incarceration (life, state prison, other DOC, house of correction, and house of correction / split) and those involving no period of incarceration (probation, fines, and other sentences). The incarceration rate was estimated by dividing the number of defendants receiving a period of incarceration into the total number of convicted defendants.

Table 16 shows incarceration rates by grid cell assignment for all convicted defendants. For FY 2000, the estimated incarceration rate was 32.0%: 17,726 defendants received a sentence to incarceration out of 55,332 convicted defendants.

The incarceration rate was higher for those defendants in higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 12.7% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 95.5%; and,
- the incarceration rate for defendants in criminal history group A was 18.5% and the incarceration rate for defendants in criminal history group D was 52.9%.

The incarceration rate was related to the sentencing zone in which the defendant fell in the sentencing guidelines grid:

- for defendants in the incarceration zone, the incarceration rate was 83.6%;
- for defendants in the discretionary zone, the incarceration rate was 38.6%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 12.4%.

**Table 16. Incarceration Status by Grid Cell Assignment, All Courts**

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	17	11	7	7	0	42	9	17	11	7	7	0	42	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	48	23	23	16	1	111	8	45	22	23	15	1	106	8	93.8%	95.7%	100.0%	93.8%	100.0%	95.5%
7	88	53	42	43	3	229	7	75	48	38	40	3	204	7	85.2%	90.6%	90.5%	93.0%	100.0%	89.1%
6	248	123	114	106	2	593	6	191	107	110	101	2	511	6	77.0%	87.0%	96.5%	95.3%	100.0%	86.2%
5	307	249	200	172	1	929	5	145	156	138	144	1	584	5	47.2%	62.7%	69.0%	83.7%	100.0%	62.9%
4	1,502	1,074	840	692	7	4,115	4	714	729	637	560	6	2,646	4	47.5%	67.9%	75.8%	80.9%	85.7%	64.3%
3	6,756	5,662	3,855	3,092	11	19,376	3	1,366	2,073	1,993	1,910	8	7,350	3	20.2%	36.6%	51.7%	61.8%	72.7%	37.9%
2	7,095	5,376	3,195	2,424	17	18,107	2	994	1,510	1,126	1,064	9	4,703	2	14.0%	28.1%	35.2%	43.9%	52.9%	26.0%
1	4,836	3,434	1,928	1,288	8	11,494	1	306	498	345	305	4	1,458	1	6.3%	14.5%	17.9%	23.7%	50.0%	12.7%
N.A.	132	87	60	57	0	336	N.A.	34	27	30	31	0	122	N.A.	25.8%	31.0%	50.0%	54.4%	N.A.	36.3%
Total	21,029	16,092	10,264	7,897	50	55,332	Total	3,887	5,181	4,447	4,177	34	17,726	Total	18.5%	32.2%	43.3%	52.9%	68.0%	32.0%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	2,047	Incarceration Zone	1,712	Incarceration Zone	83.6%
Discretionary Zone	35,656	Discretionary Zone	13,749	Discretionary Zone	38.6%
Intermediate Sanction Zone	17,293	Intermediate Sanction Zone	2,143	Intermediate Sanction Zone	12.4%
Unassigned	336	Unassigned	122	Unassigned	36.3%
Total	55,332	Total	17,726	Total	32.0%

*District Court Incarceration Rates.* Table 17 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2000, the estimated district court incarceration rate was 29.2%: 15,205 defendants received a sentence to incarceration out of 52,008 convicted defendants. District court incarceration rates were similar in pattern to overall incarceration rates.

District court incarceration rates were higher for defendants convicted of offenses in the higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 12.6% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 57.5%; and,
- the incarceration rate for defendants in criminal history group A was 15.5% and the incarceration rate for defendants in criminal history group D was 49.8%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 72.1%;
- district court defendants in the discretionary zone had an incarceration rate of 36.9%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 12.2%.

**Table 17. Incarceration Status by Grid Cell Assignment, District Court**

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Total
9	0	0	0	0	0	0	9	0	0	0	0	0	0	9	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8	0	0	0	0	0	0	8	0	0	0	0	0	0	8	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
7	0	0	0	0	0	0	7	0	0	0	0	0	0	7	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
6	3	1	3	1	0	8	6	2	1	3	1	0	7	6	66.7%	100.0%	100.0%	100.0%	N.A.	87.5%
5	172	168	134	82	0	556	5	62	82	77	61	0	282	5	36.0%	48.8%	57.5%	74.4%	N.A.	50.7%
4	1,103	814	622	499	4	3,042	4	426	512	431	376	3	1,748	4	38.6%	62.9%	69.3%	75.4%	75.0%	57.5%
3	6,532	5,556	3,763	2,950	10	18,811	3	1,282	2,017	1,928	1,800	7	7,034	3	19.6%	36.3%	51.2%	61.0%	70.0%	37.4%
2	6,978	5,331	3,170	2,394	16	17,889	2	957	1,488	1,110	1,047	9	4,611	2	13.7%	27.9%	35.0%	43.7%	56.3%	25.8%
1	4,823	3,427	1,925	1,285	8	11,468	1	304	495	344	303	4	1,450	1	6.3%	14.4%	17.9%	23.6%	50.0%	12.6%
N.A.	76	67	47	44	0	234	N.A.	12	19	20	22	0	73	N.A.	15.8%	28.4%	42.6%	50.0%	N.A.	31.2%
Total	19,687	15,364	9,664	7,255	38	52,008	Total	3,045	4,614	3,913	3,610	23	15,205	Total	15.5%	30.0%	40.5%	49.8%	60.5%	29.2%

Sentencing Zone	N
Incarceration Zone	727
Discretionary Zone	33,894
Intermediate Sanction Zone	17,153
Unassigned	234
Total	52,008

Sentencing Zone	N
Incarceration Zone	524
Discretionary Zone	12,508
Intermediate Sanction Zone	2,100
Unassigned	73
Total	15,205

Sentencing Zone	Incarceration Rate
Incarceration Zone	72.1%
Discretionary Zone	36.9%
Intermediate Sanction Zone	12.2%
Unassigned	31.2%
Total	29.2%

*Superior Court Incarceration Rates.* Table 18 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2000, the estimated superior court incarceration rate was 75.8%: 2,521 defendants received a sentence to incarceration out of 3,324 convicted defendants. Superior court incarceration rates were similar in pattern to overall incarceration rates.

Superior court incarceration rates were higher for defendants convicted of offenses in the higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses in offense seriousness level 2 was 42.2% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 95.5%; and,
- the incarceration rate for defendants in criminal history group A was 62.7% and the incarceration rate for defendants in criminal history group D was 88.3%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 90.0%;
- superior court defendants in the discretionary zone had an incarceration rate of 70.4%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 30.7%.

**Table 18. Incarceration Status by Grid Cell Assignment, Superior Court**

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	17	11	7	7	0	42	9	17	11	7	7	0	42	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	48	23	23	16	1	111	8	45	22	23	15	1	106	8	93.8%	95.7%	100.0%	93.8%	100.0%	95.5%
7	88	53	42	43	3	229	7	75	48	38	40	3	204	7	85.2%	90.6%	90.5%	93.0%	100.0%	89.1%
6	245	122	111	105	2	585	6	189	106	107	100	2	504	6	77.1%	86.9%	96.4%	95.2%	100.0%	86.2%
5	135	81	66	90	1	373	5	83	74	61	83	1	302	5	61.5%	91.4%	92.4%	92.2%	100.0%	81.0%
4	399	260	218	193	3	1,073	4	288	217	206	184	3	898	4	72.2%	83.5%	94.5%	95.3%	100.0%	83.7%
3	224	106	92	142	1	565	3	84	56	65	110	1	316	3	37.5%	52.8%	70.7%	77.5%	100.0%	55.9%
2	117	45	25	30	1	218	2	37	22	16	17	0	92	2	31.6%	48.9%	64.0%	56.7%	0.0%	42.2%
1	13	7	3	3	0	26	1	2	3	1	2	0	8	1	15.4%	42.9%	33.3%	66.7%	N.A.	30.8%
N.A.	56	20	13	13	0	102	N.A.	22	8	10	9	0	49	N.A.	39.3%	40.0%	76.9%	69.2%	N.A.	48.0%
Total	1,342	728	600	642	12	3,324	Total	842	567	534	567	11	2,521	Total	62.7%	77.9%	89.0%	88.3%	91.7%	75.8%

Sentencing Zone	N
Incarceration Zone	1,320
Discretionary Zone	1,762
Intermediate Sanction Zone	140
Unassigned	102
Total	3,324

Sentencing Zone	N
Incarceration Zone	1,188
Discretionary Zone	1,241
Intermediate Sanction Zone	43
Unassigned	49
Total	2,521

Sentencing Zone	Incarceration Rate
Incarceration Zone	90.0%
Discretionary Zone	70.4%
Intermediate Sanction Zone	30.7%
Unassigned	48.0%
Total	75.8%



### Sentencing Practices: Jurisdiction of Incarceration Sentences

In order to consider the jurisdictional placement of offenders sentenced to incarceration, Table 19 shows the penalty structure associated with the governing offense and the jurisdiction of the sentence actually imposed by court department.

- Of all defendants sentenced to incarceration, 49.1% were convicted of felonies and 50.9% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 41.9% were convicted of felonies and 58.1% were convicted of misdemeanors; and,
- Of defendants convicted in the superior court and sentenced to incarceration, 92.7% were convicted of felonies and 7.3% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 16,192 (91.3%) were sentenced to houses of correction and 1,534 (8.7%) were sentenced to the DOC;
- Of those defendants convicted in the district court, all were sentenced to houses of correction; and,
- Of those defendants convicted in the superior court, 1,534 (60.8%) were sentenced to the DOC and 987 (39.2%) were sentenced to houses of correction.

**Table 19. Jurisdiction Status by Penalty Structure and Court Department**

Penalty Structure	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
<b>Felonies</b>						
Felony / No House Alternative	0	0.0%	780	30.9%	780	4.4%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	245	9.7%	245	1.4%
Sentenced to House of Correction	0	0.0%	169	6.7%	169	1.0%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	509	20.2%	509	2.9%
Sentenced to House of Correction	6,372	41.9%	634	25.1%	7,006	39.5%
Sub-Total Felonies	6,372	41.9%	2,337	92.7%	8,709	49.1%
<b>Misdemeanor / House</b>	8,833	58.1%	184	7.3%	9,017	50.9%
Total	15,205	100.0%	2,521	100.0%	17,726	100.0%
All Sentences to DOC	0	0.0%	1,534	60.8%	1,534	8.7%
All Sentences to Houses of Correction	15,205	100.0%	987	39.2%	16,192	91.3%
Total	15,205	100.0%	2,521	100.0%	17,726	100.0%

Table 20 shows the jurisdiction of incarceration sentences for the seven year period FY 1994 to FY 2000. During this period the jurisdiction of incarceration sentences changed very little:

- in FY 1994, 89.1% of all incarceration sentences were to houses of correction and 10.9% were to the DOC; and,
- in FY 2000, 91.3% of all incarceration sentences were to houses of correction and 8.7% were to the DOC.

However, there was a shift in the jurisdiction of incarceration sentences imposed in the superior court:

- in FY 1994, 803 or 25.3% of the incarceration sentences imposed in the superior court were to houses of correction and 2,374 or 74.7% were to the DOC; and,
- in FY 2000, 987 or 39.2% of the incarceration sentences in the superior court were to houses of correction and 1,534 or 60.8% were to the DOC.

**Table 20. Jurisdiction Status by Court Department, FY 1994 to FY 2000**

Jurisdiction	FY 1994		FY 1995		FY 1996		FY 1997		FY 1998		FY 1999		FY 2000	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>All Courts</b>														
House	19,593	89.1%	19,173	88.9%	19,262	90.1%	19,240	90.6%	18,889	90.4%	17,544	90.5%	16,192	91.3%
DOC	2,409	10.9%	2,391	11.1%	2,116	9.9%	1,995	9.4%	1,999	9.6%	1,843	9.5%	1,534	8.7%
Total	22,002	100.0%	21,564	100.0%	21,378	100.0%	21,235	100.0%	20,888	100.0%	19,387	100.0%	17,726	100.0%
<b>District Court</b>														
House	18,790	99.8%	18,159	100.0%	18,085	100.0%	17,989	100.0%	17,600	100.0%	16,358	100.0%	15,205	100.0%
DOC	35	0.2%	1	0.0%	2	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total	18,825	100.0%	18,160	100.0%	18,087	100.0%	17,989	100.0%	17,600	100.0%	16,358	100.0%	15,205	100.0%
<b>Superior Court</b>														
House	803	25.3%	1,014	29.8%	1,177	35.8%	1,251	38.5%	1,289	39.2%	1,186	39.2%	987	39.2%
DOC	2,374	74.7%	2,390	70.2%	2,114	64.2%	1,995	61.5%	1,999	60.8%	1,843	60.8%	1,534	60.8%
Total	3,177	100.0%	3,404	100.0%	3,291	100.0%	3,246	100.0%	3,288	100.0%	3,029	100.0%	2,521	100.0%

## **Sentencing Practices: State Prison Sentences**

In this section some of the characteristics of state prison sentences are discussed. Life sentences and other DOC sentences are not included in this analysis, even though the defendants were sentenced to the jurisdiction of the DOC. Both male and female defendants are included in this analysis. The analysis further focuses on those defendants assigned to the sentencing guidelines grid, excluding offenders sentenced for mandatory firearms and OUI offenses but including defendants sentenced for mandatory drug offenses.

*Minimum and Maximum Sentence Length.* State prison sentences have both a minimum (not less than) and a maximum (not more than) term. For example, a defendant may be committed to a term of 72 to 108 months (6 to 9 years) in the state prison. Under the new law, parole eligibility is set at the minimum sentence and minimum sentences to the state prison are generally 1 year or more.

Table 21 shows the minimum and maximum sentence length for state prison sentences. The mean minimum sentence imposed was 54.4 months and ranged from 12.0 months to 900.0 months (or 75 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 67.2 months and ranged from 12.0 months to 1200.0 months (or 100 years). The median maximum state prison sentence was 60.0 months. Figure 2 graphically shows the minimum sentence length for state prison sentences and Figure 3 graphically shows the maximum sentence for state prison sentences.

**Table 21. State Prison Sentences: Minimum and Maximum Sentence Length**

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	104	7.1%	42	2.9%
24 to 35 Months	280	19.2%	171	11.7%
36 to 47 Months	384	26.3%	340	23.3%
48 to 59 Months	184	12.6%	166	11.4%
60 to 71 Months	216	14.8%	286	19.6%
72 to 83 Months	52	3.6%	95	6.5%
84 to 95 Months	51	3.5%	88	6.0%
96 to 107 Months	37	2.5%	39	2.7%
108 to 119 Months	24	1.6%	28	1.9%
120 to 179 Months	80	5.5%	126	8.6%
180 to 239 Months	45	3.1%	43	2.9%
240 Months or More	4	0.3%	37	2.5%
Total	1,461	100.0%	1,461	100.0%
Lowest	12.0 Months		12.0 Months	
Highest	900.0 Months		1200.0 Months	
Mean	54.4 Months		67.2 Months	
Median	36.0 Months		60.0 Months	

Figure 2. State Prison Sentences: Minimum Sentence Length

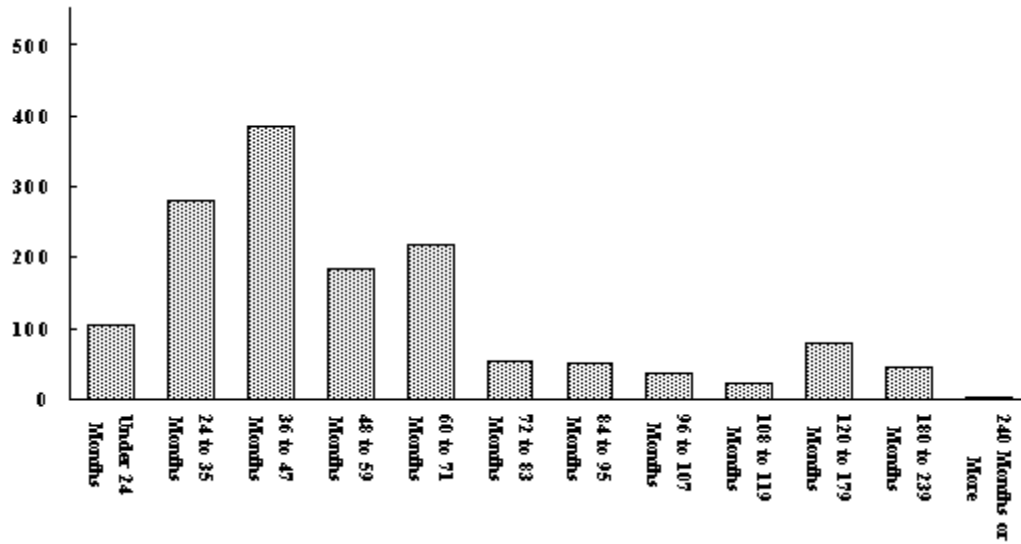
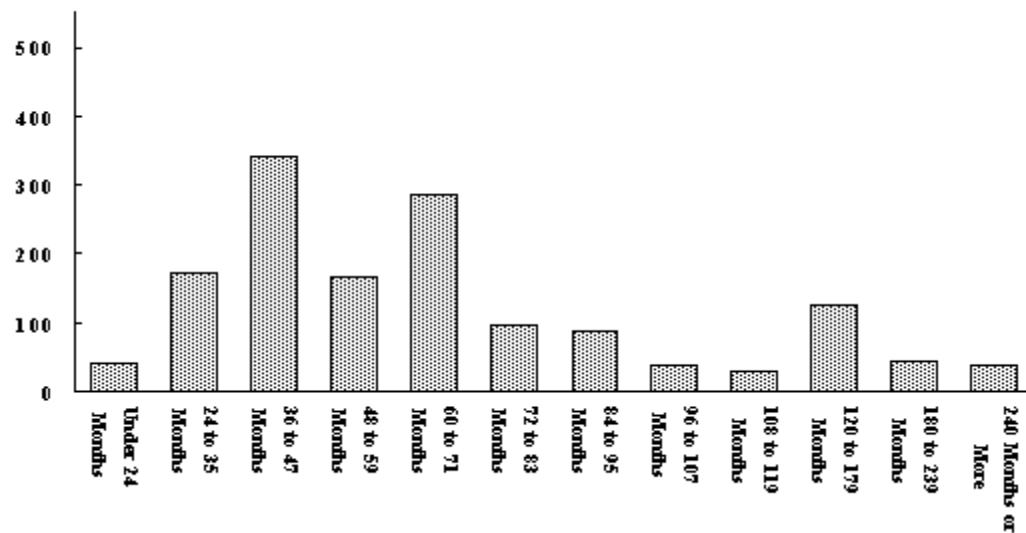


Figure 3. State Prison Sentences: Maximum Sentence Length



*Minimum to Maximum Sentence Ratio and Difference.* Under current sentencing laws, judges are generally not constrained when setting the ratio or difference between the minimum and maximum sentences to state prison. Thus, a judge might impose a sentence of 60 to 180 months (5 to 15 years) where the minimum sentence is 33% of the maximum sentence and where the difference between the minimum and maximum sentence is 120 months (10 years). Alternatively, a judge might impose a sentence of 60 months to 60 months and 1 day (5 years to 5 years and 1 day), where the minimum sentence represents about 99% of the maximum sentence and where the difference between the minimum and maximum sentence is 1 day. Under proposed sentencing guidelines, the minimum sentence will be required to be two-thirds of the maximum sentence.

Table 22 shows the ratio of minimum to maximum sentence lengths for all convicted defendants sentenced to the state prison by type of offense (mandatory drug offense or other offense). Table 23 shows the difference between the minimum and maximum sentences for all convicted defendants with state prison sentences by type of offense (mandatory drug offense or other offense).

In 36.2% of the state prison sentences imposed for offenses other than mandatory drug offenses, the minimum sentence was at least 90% of the maximum sentence, and in 58.2% of the state prison sentences for mandatory drug offenses the minimum sentence was at least 90% of the maximum sentence. It was estimated that 72.5% of state prison sentences for offenses other than mandatory drug offenses had a minimum to maximum ratio that was narrower than the two-thirds ratio called for under the proposed guidelines legislation, that is the minimum sentence was at least 70% of the maximum sentence.

In 56.4% of the state prison sentences imposed for mandatory drug offenses, the difference between the minimum and maximum sentences was one day. In 32.5% of the state prison sentences for offenses other than mandatory drug offenses, the difference between the minimum and maximum sentence was one day. The largest difference between a minimum and maximum state prison sentence was 300 months.

**Table 22. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense**

Minimum-to- Maximum Ratio	Mandatory		Other Offenses	
	N	%	N	%
1% to 9%	0	0.0%	0	0.0%
10% to 19 %	0	0.0%	0	0.0%
20% to 29%	0	0.0%	1	0.1%
30% to 39%	7	1.8%	9	0.8%
40% to 49%	1	0.3%	3	0.3%
50% to 59%	24	6.2%	51	4.7%
60% to 69%	47	12.2%	232	21.6%
70% to 79%	37	9.6%	187	17.4%
80% to 89%	45	11.7%	203	18.9%
90% and Over	224	58.2%	390	36.2%
Total	385	100.0%	1,076	100.0%

**Table 23. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense**

Minimum-to- Maximum Difference	Mandatory		Other Offenses	
	N	%	N	%
1 Day	217	56.4%	350	32.5%
2 Days to 5 Months	1	0.3%	5	0.5%
6 to 11 Months	23	6.0%	97	9.0%
12 to 23 Months	64	16.6%	264	24.5%
24 to 35 Months	69	17.9%	254	23.6%
36 to 47 Months	7	1.8%	59	5.5%
48 to 59 Months	1	0.3%	13	1.2%
60 to 119 Months	3	0.8%	27	2.5%
120 Months or More	0	0.0%	7	0.7%
Total	385	100.0%	1,076	100.0%

### **Sentencing Practices: House of Correction Sentences**

In this section, some of the characteristics of house of correction sentences are discussed. This analysis includes those defendants with a house of correction sentence as well as those defendants with a house of correction / split sentence. For defendants sentenced to a house of correction / split sentence, the committed portion of the sentence was included in the analysis; the total or the suspended portion of the sentence was not considered in the analysis. The analysis considers those defendants assigned to the sentencing guidelines grid and does not include those offenders not assigned to the grid, that is defendants convicted of OUI offenses or mandatory firearms offenses. Defendants sentenced to a house of correction from either the district or superior court are included in this analysis. Male and female defendants are included even though some female defendants with a house of correction sentence may be committed to a correctional facility for women under the jurisdiction of the DOC. A total of 169 defendants sentenced to houses of correction with missing sentence information were excluded from the analysis.

Sentences to houses of correction do not have a minimum sentence and can range from one day up to thirty months. For most defendants sentenced to a house of correction with a sentence of 60 days or more, parole eligibility is set at one-half of the maximum sentence length. Under the proposed sentencing guidelines, house of correction sentences would have both a minimum and maximum sentence, the minimum sentence would be set at two-thirds of the maximum sentence and would constitute the initial parole eligibility date.

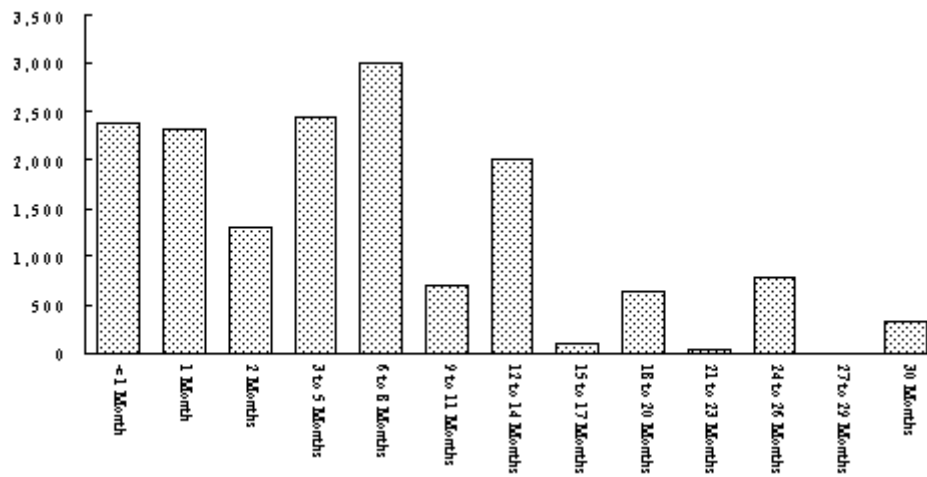
House of correction sentences ranged from 1 day to 30 months. The mean house of correction sentence was 6.6 months and the median house of correction sentence was 4.0 months. Table 24 shows the sentence length of house of correction sentences by court department. Most of the house of correction sentences were imposed in the district court. The range of house of correction sentences imposed in the district court and the superior court was equally broad, ranging from 1 day to 30 months. The mean house of correction sentence imposed in the district court was 5.9 months while the mean house of correction sentence imposed in the superior court was 17.1 months. The median house of correction sentence imposed in the district court was 3.0 months while the median house of correction sentence imposed in the superior court was 18.0 months. Figure 4 graphically shows the sentence length for house of correction sentences.



**Table 24. House of Correction Sentences: Sentence Length by Court Department**

Sentence	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
< 1 Month	2,362	15.7%	14	1.4%	2,376	14.8%
1 Month	2,290	15.2%	32	3.3%	2,322	14.5%
2 Months	1,296	8.6%	11	1.1%	1,307	8.2%
3 to 5 Months	2,379	15.8%	65	6.6%	2,444	15.3%
6 to 8 Months	2,915	19.4%	85	8.6%	3,000	18.7%
9 to 11 Months	688	4.6%	25	2.5%	713	4.4%
12 to 14 Months	1,788	11.9%	210	21.3%	1,998	12.5%
15 to 17 Months	102	0.7%	10	1.0%	112	0.7%
18 to 20 Months	513	3.4%	111	11.3%	624	3.9%
21 to 23 Months	14	0.1%	8	0.8%	22	0.1%
24 to 26 Months	521	3.5%	252	25.6%	773	4.8%
27 to 29 Months	4	0.0%	2	0.2%	6	0.0%
30 Months	167	1.1%	159	16.2%	326	2.0%
Total	15,039	100.0%	984	100.0%	16,023	100.0%
Lowest	1 Day		1 Day		1.0 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	5.9 Months		17.1 Months		6.6 Months	
Median	3.0 Months		18.0 Months		4.0 Months	

**Figure 4. House of Correction Sentences: Sentence Length**



### **Sentencing Practices: Comparing Existing Sentences and Proposed Guidelines**

All existing sentences were compared with the proposed sentencing guidelines in order to estimate whether the sentence imposed was below the guideline range, within the guideline range, or above the guideline range. The method for estimating departure rates is described in Appendix A. Table 25 shows the results of this analysis. Overall, it was estimated that 90.5% of current sentences fall within the proposed guidelines and 9.5% of current sentences fall outside of proposed guidelines (an estimated 2.5% were below the guidelines and an estimated 7.0% were above the guidelines). As indicated in the table, the proportion of sentences that fell outside the proposed guidelines varied by offense seriousness level and type of offense:

- the proportion of sentences outside of the guidelines was the lowest at offense seriousness level 3, where an estimated 1.9% of all sentences were outside of the proposed guidelines and almost all of those sentences were above the proposed ranges;
- the proportion of sentences outside of the guidelines was the highest at offense seriousness level 8, where an estimated 79.4% of all sentences were outside of the proposed ranges (41.2% were below the proposed guidelines and 38.1% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 58.0% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 42.0% were outside of the sentencing guidelines (including 2.1% below the proposed guidelines and 39.9% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 90.9% were within the sentencing guidelines ranges and 9.1% were outside of the sentencing guidelines (including 2.5% below the ranges and 6.6% above the ranges); and,
- for all offenses at levels 6 through 8, 43.6% of the sentences were below the guideline ranges, 26.1% were within, and 30.3% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 27.6% were within, and 72.4% were above; and,
- for all other offenses at levels 6 through 8, 51.1% were below the guideline ranges, 25.8% were within, and 23.1% were above.

**Table 25. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense**

Type of Offense and Offense Seriousness Level	Below N	%	Within N	%	Above N	%	Total N	%
<b>All Offenses</b>								
Level 9	0	0.0%	42	100.0%	0	0.0%	42	100.0%
Level 8	40	41.2%	20	20.6%	37	38.1%	97	100.0%
Level 7	105	46.1%	63	27.6%	60	26.3%	228	100.0%
Level 6	253	43.0%	155	26.4%	180	30.6%	588	100.0%
Level 5	393	42.4%	405	43.7%	129	13.9%	927	100.0%
Level 4	578	14.1%	3,179	77.4%	350	8.5%	4,107	100.0%
Level 3	3	0.0%	18,961	98.1%	369	1.9%	19,333	100.0%
Level 2	0	0.0%	16,522	91.5%	1,541	8.5%	18,063	100.0%
Level 1	0	0.0%	10,306	89.7%	1,186	10.3%	11,492	100.0%
Total	1,372	2.5%	49,653	90.5%	3,852	7.0%	54,877	100.0%
<b>Other Offenses</b>								
Level 9	0	0.0%	42	100.0%	0	0.0%	42	100.0%
Level 8	40	48.2%	19	22.9%	24	28.9%	83	100.0%
Level 7	105	52.5%	57	28.5%	38	19.0%	200	100.0%
Level 6	253	51.0%	125	25.2%	118	23.8%	496	100.0%
Level 5	381	47.9%	371	46.7%	43	5.4%	795	100.0%
Level 4	575	15.7%	2,839	77.5%	250	6.8%	3,664	100.0%
Level 3	3	0.0%	18,961	98.1%	369	1.9%	19,333	100.0%
Level 2	0	0.0%	16,522	91.5%	1,541	8.5%	18,063	100.0%
Level 1	0	0.0%	10,306	89.7%	1,186	10.3%	11,492	100.0%
Total	1,357	2.5%	49,242	90.9%	3,569	6.6%	54,168	100.0%
<b>Mandatory Drug Offenses</b>								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	1	7.1%	13	92.9%	14	100.0%
Level 7	0	0.0%	6	21.4%	22	78.6%	28	100.0%
Level 6	0	0.0%	30	32.6%	62	67.4%	92	100.0%
Level 5	12	9.1%	34	25.8%	86	65.2%	132	100.0%
Level 4	3	0.7%	340	76.7%	100	22.6%	443	100.0%
Level 3	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 2	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 1	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Total	15	2.1%	411	58.0%	283	39.9%	709	100.0%

### **Sentencing Practices: Post-Release Probation Supervision**

When imposing a sentence, a judge may want to sentence the defendant to both a term of incarceration and a term of post-release probation supervision. This can be accomplished for most defendants through the use of split sentences or from & after probation sentences. Prior to truth-in-sentencing reform, judges could impose state prison / split sentences or house of correction / split sentences. Subsequent to truth-in-sentencing reform, state prison / split sentences are no longer available as a sentencing option. Currently, in the case of a defendant convicted of a single charge, a judge may be able to impose a house of correction / split sentence; and, in the case of a defendant convicted of multiple charges, a judge may impose a sentence of incarceration on one charge and a sentence to from & after probation on a second charge.

Table 26 shows post-release probation supervision status by type of sentence and court department for those defendants sentenced to incarceration. It was estimated that 39.6% of the incarceration sentences also involved a period of post-release probation supervision through the use of a split sentence or from & after probation sentence. The proportion of incarceration sentences involving a period of post-release probation supervision was higher in the superior court than in the district court:

- an estimated 5,646 or 37.1% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,375 or 54.5% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
  - 70.5% of those sentenced to houses of correction from the superior court; and,
  - 44.3% of those sentenced to the DOC.

**Table 26. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department**

Post-Release Probation Supervision Status	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
<b>Type of Sentence</b>						
Life						
With From & After Probation			12	0.5%	12	0.1%
Without From & After Probation			40	1.6%	40	0.2%
Sub-Total			52	2.1%	52	0.3%
State Prison						
With From & After Probation			651	25.8%	651	3.7%
Without From & After Probation			811	32.2%	811	4.6%
Sub-Total			1,462	58.0%	1,462	8.2%
Other DOC						
Split or From & After Probation			16	0.6%	16	0.1%
Without Split or From & After Probation			4	0.2%	4	0.0%
Sub-Total			20	0.8%	20	0.1%
House of Correction						
With From & After Probation	1,069	7.0%	386	15.3%	1,455	8.2%
Without From & After Probation	9,559	62.9%	291	11.5%	9,850	55.6%
Sub-Total	10,628	69.9%	677	26.9%	11,305	63.8%
House of Correction / Split	4,577	30.1%	310	12.3%	4,887	27.6%
Total All Sentences	15,205	100.0%	2,521	100.0%	17,726	100.0%
<b>Jurisdiction</b>						
<b>House of Correction</b>						
Split or From & After Probation	5,646	37.1%	696	70.5%	6,342	39.2%
Without Split or From & After Probation	9,559	62.9%	291	29.5%	9,850	60.8%
Sub-Total	15,205	100.0%	987	100.0%	16,192	100.0%
<b>DOC</b>						
Split or From & After Probation			679	44.3%	679	44.3%
Without Split or From & After Probation			855	55.7%	855	55.7%
Sub-Total			1,534	100.0%	1,534	100.0%
<b>All Jurisdictions</b>						
Split or From & After Probation	5,646	37.1%	1,375	54.5%	7,021	39.6%
Without Split or From & After Probation	9,559	62.9%	1,146	45.5%	10,705	60.4%
Total	15,205	100.0%	2,521	100.0%	17,726	100.0%

Individuals beginning a period of probation can begin that sentence directly following a sentence or following release from a period of incarceration. Table 27 shows estimates of the manner in which the probation portion of sentences were imposed. This analysis assumes that all non-incarceration sentences include some probation supervision. Overall it was estimated that 37,606 or 84.3% of the probation sentences began as a non-incarcerative sentence and 7,021 or 15.7% will begin after a period of incarceration. The type of probation sentence varied by court department. Among district court defendants, most probation sentences were imposed as non-incarcerative sentences and among superior court defendants most probation sentences were imposed as a post-incarcerative portion of the sentence:

- in the district court, 86.7% of the probation sentences began as a non-incarcerative sentence and 13.3% will begin after a period of incarceration; and,
- in the superior court, 803 or 36.9% of the probation sentences began as a non-incarcerative sentence and 1,375 or 63.1% will begin after a period of incarceration.

**Table 27. Type of Probation Sentence Imposed by Court Department**

Type of Probation Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Non-Incarcerative Sentence	36,803	86.7%	803	36.9%	37,606	84.3%
Post-Release Probation	5,646	13.3%	1,375	63.1%	7,021	15.7%
Total	42,449	100.0%	2,178	100.0%	44,627	100.0%

Table 28 shows the relationship between type of offense and the imposition of post-release probation supervision for incarcerated defendants. Post-release probation supervision is used frequently as part of the sentence for incarcerated sex offenders and less frequently for other types of incarcerated defendants. It was estimated that 319 or 73.0% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,364 or 35.5% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision.

**Table 28. Post-Release Probation Supervision by Type of Offense and Court Department**

Type of Offense and Court Department	No Post Release Probation		Post Release Probation		Total	
	N	%	N	%	N	%
<b>All Courts</b>						
Person	2,673	49.5%	2,723	50.5%	5,396	100.0%
Sex	118	27.0%	319	73.0%	437	100.0%
Property	2,560	60.3%	1,687	39.7%	4,247	100.0%
Drug Offenses	2,483	64.5%	1,364	35.5%	3,847	100.0%
Motor Vehicle	1,759	74.9%	589	25.1%	2,348	100.0%
Other	1,112	76.6%	339	23.4%	1,451	100.0%
<b>Total</b>	10,705	60.4%	7,021	39.6%	17,726	100.0%
<b>District Court</b>						
Person	2,321	51.4%	2,193	48.6%	4,514	100.0%
Sex	53	31.0%	118	69.0%	171	100.0%
Property	2,446	62.7%	1,455	37.3%	3,901	100.0%
Drug Offenses	1,915	65.1%	1,027	34.9%	2,942	100.0%
Motor Vehicle	1,749	75.8%	559	24.2%	2,308	100.0%
Other	1,075	78.5%	294	21.5%	1,369	100.0%
<b>Sub-Total</b>	9,559	62.9%	5,646	37.1%	15,205	100.0%
<b>Superior Court</b>						
Person	352	39.9%	530	60.1%	882	100.0%
Sex	65	24.4%	201	75.6%	266	100.0%
Property	114	32.9%	232	67.1%	346	100.0%
Drug Offenses	568	62.8%	337	37.2%	905	100.0%
Motor Vehicle	10	25.0%	30	75.0%	40	100.0%
Other	37	45.1%	45	54.9%	82	100.0%
<b>Sub-Total</b>	1,146	45.5%	1,375	54.5%	2,521	100.0%

Table 29 shows the use of post-release probation as a component of incarceration sentences for the seven year period FY 1994 to FY 2000. The proportion of incarceration sentences including post release probation supervision remained about the same over the period: 40.8% of the incarceration sentences imposed in FY 1994 included a period of post-release probation supervision while 39.6% of the incarceration sentences imposed in FY 2000 included a period of post-release probation supervision.

**Table 29. Post Release Probation Supervision by Court Department, FY 1994 to FY 2000**

Post-Release Supervision and Court Department	FY 1994		FY 1995		FY 1996		FY 1997		FY 1998		FY 1999		FY 2000	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>All Courts</b>														
With Post Release Supervision	8,987	40.8%	8,637	40.1%	8,238	38.5%	8,251	38.9%	8,065	38.6%	7,830	40.4%	7,021	39.6%
Without Post Release Supervision	13,015	59.2%	12,927	59.9%	13,140	61.5%	12,984	61.1%	12,823	61.4%	11,557	59.6%	10,705	60.4%
Total	22,002	100.0%	21,564	100.0%	21,378	100.0%	21,235	100.0%	20,888	100.0%	19,387	100.0%	17,726	100.0%
<b>District Court</b>														
With Post Release Supervision	7,529	40.0%	7,125	39.2%	6,882	38.0%	6,840	38.0%	6,521	37.1%	6,313	38.6%	5,646	37.1%
Without Post Release Supervision	11,296	60.0%	11,035	60.8%	11,205	62.0%	11,149	62.0%	11,079	62.9%	10,045	61.4%	9,559	62.9%
Total	18,825	100.0%	18,160	100.0%	18,087	100.0%	17,989	100.0%	17,600	100.0%	16,358	100.0%	15,205	100.0%
<b>Superior Court</b>														
With Post Release Supervision	1,458	45.9%	1,512	44.4%	1,356	41.2%	1,411	43.5%	1,544	47.0%	1,517	50.1%	1,375	54.5%
Without Post Release Supervision	1,719	54.1%	1,892	55.6%	1,935	58.8%	1,835	56.5%	1,744	53.0%	1,512	49.9%	1,146	45.5%
Total	3,177	100.0%	3,404	100.0%	3,291	100.0%	3,246	100.0%	3,288	100.0%	3,029	100.0%	2,521	100.0%



## **Sentencing Practices: Type of Offense**

The governing offense was used to classify all convicted defendants to a type of offense group: person, sex, property, drug, motor vehicle, weapons, public order, and other offenses. Consideration of the type of offense is another way to contrast the volume and characteristics of cases in the district court and the superior court. The type of offense also demonstrates some further characteristics of the proposed sentencing guidelines.

*Type of Offense: Governing Offense.* Figure 5 and Table 30 show the type of offense by court department.<sup>21</sup> The type of offense varied by court department. In the district court the most frequently occurring offenses were motor vehicle which accounted for 12,934 or 24.9% of all district court convictions, followed by person offenses (12,031 or 23.1% of all district court convictions), and property offenses (11,710 or 22.5% of all district court convictions). In the superior court the most frequently occurring offenses were drug offenses which accounted for 1,112 or 33.5% of all superior court convictions followed by person offenses which accounted for 1,097 or 33.0% of all superior court convictions.

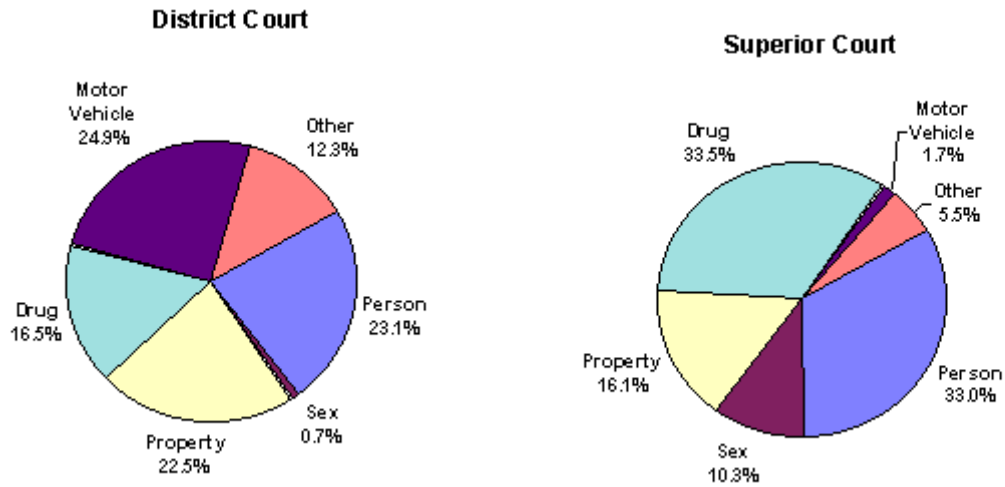
Table 31 shows the type of offense for all convicted defendants for the period FY 1994 to FY 2000. During this period there were decreases in the number of convictions in all offense categories.

*Type of Offense: Secondary Convictions.* Defendants may be convicted of multiple types of offenses at the time of sentencing. In the previous analyses, defendants were classified to a type of offense category based solely on the governing offense. In Table 32 defendants are classified by type of offense on the basis of all offenses of conviction. For example, 699 defendants were classified as sex offenders on the basis of governing offense and an additional 38 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 38 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 737 defendants were classified as sex offenders on the basis of this expanded classification.

---

<sup>21</sup> In Figure 5 and Table 30 the other category includes weapons, public order, and other offenses.

**Figure 5. Type of Offense by Court Department**



**Table 30. Type of Offense by Offense Seriousness Level and Court Department**

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	12,031	23.1%	1,097	33.0%	13,128	23.7%
Sex	356	0.7%	343	10.3%	699	1.3%
Property	11,710	22.5%	534	16.1%	12,244	22.1%
Drug	8,556	16.5%	1,112	33.5%	9,668	17.5%
Motor Vehicle	12,934	24.9%	56	1.7%	12,990	23.5%
Other	6,421	12.3%	182	5.5%	6,603	11.9%
Total	52,008	100.0%	3,324	100.0%	55,332	100.0%

*Survey of Sentencing Practices*

**Table 31. Type of Offense by Court Department, FY 1994 to FY 2000**

Type of Offense and Court Department	FY 1994		FY 1995		FY 1996		FY 1997		FY 1998		FY 1999		FY 2000	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
All Courts														
Person	14,851	19.8%	14,561	20.6%	14,047	20.5%	14,574	22.0%	15,076	23.4%	14,242	23.9%	13,128	23.7%
Sex	1,108	1.5%	977	1.4%	930	1.4%	764	1.2%	848	1.3%	764	1.3%	699	1.3%
Property	17,457	23.3%	16,539	23.4%	15,800	23.0%	14,577	22.0%	13,970	21.7%	13,121	22.1%	12,244	22.1%
Drug	11,015	14.7%	10,492	14.8%	11,001	16.0%	10,213	15.4%	10,430	16.2%	10,149	17.1%	9,668	17.5%
Motor Vehicle	22,075	29.4%	20,311	28.7%	19,135	27.9%	18,293	27.6%	16,378	25.5%	14,181	23.8%	12,990	23.5%
Other	8,474	11.3%	7,849	11.1%	7,704	11.2%	7,751	11.7%	7,616	11.8%	7,027	11.8%	6,603	11.9%
Total	74,980	100.0%	70,729	100.0%	68,617	100.0%	66,172	100.0%	64,318	100.0%	59,484	100.0%	55,332	100.0%
District Court														
Person	13,318	18.8%	12,932	19.5%	12,637	19.6%	13,261	21.4%	13,667	22.7%	12,957	23.3%	12,031	23.1%
Sex	626	0.9%	509	0.8%	485	0.8%	353	0.6%	390	0.6%	384	0.7%	356	0.7%
Property	16,744	23.7%	15,733	23.7%	15,053	23.4%	13,781	22.2%	13,258	22.0%	12,488	22.5%	11,710	22.5%
Drug	9,796	13.8%	9,237	13.9%	9,591	14.9%	8,938	14.4%	9,091	15.1%	8,746	15.7%	8,556	16.5%
Motor Vehicle	22,021	31.1%	20,257	30.6%	19,064	29.6%	18,235	29.4%	16,327	27.1%	14,132	25.4%	12,934	24.9%
Other	8,242	11.6%	7,633	11.5%	7,547	11.7%	7,534	12.1%	7,407	12.3%	6,831	12.3%	6,421	12.3%
Total	70,747	100.0%	66,301	100.0%	64,377	100.0%	62,102	100.0%	60,140	100.0%	55,538	100.0%	52,008	100.0%
Superior Court														
Person	1,533	36.2%	1,629	36.8%	1,410	33.3%	1,313	32.3%	1,409	33.7%	1,285	32.6%	1,097	33.0%
Sex	482	11.4%	468	10.6%	445	10.5%	411	10.1%	458	11.0%	380	9.6%	343	10.3%
Property	713	16.8%	806	18.2%	747	17.6%	796	19.6%	712	17.0%	633	16.0%	534	16.1%
Drug	1,219	28.8%	1,255	28.3%	1,410	33.3%	1,275	31.3%	1,339	32.0%	1,403	35.6%	1,112	33.5%
Motor Vehicle	54	1.3%	54	1.2%	71	1.7%	58	1.4%	51	1.2%	49	1.2%	56	1.7%
Other	232	5.5%	216	4.9%	157	3.7%	217	5.3%	209	5.0%	196	5.0%	182	5.5%
Total	4,233	100.0%	4,428	100.0%	4,240	100.0%	4,070	100.0%	4,178	100.0%	3,946	100.0%	3,324	100.0%

**Table 32. Type of Offense: Governing Offense and Secondary Offense**

Type of Offense and Court Department	Governing Offense	Other than Governing Offense	Total All Offenses of Conviction
<b>All Courts</b>			
Person	13,128	1,400	14,528
Sex	699	38	737
Property	12,244	2,791	15,035
Drug	9,668	1,712	11,380
Motor Vehicle	12,990	2,732	15,722
Weapons	542	525	1,067
Public Order	3,315	2,605	5,920
Other	2,746	4,908	7,654
<b>District Court</b>			
Person	12,031	1,242	13,273
Sex	356	17	373
Property	11,710	2,613	14,323
Drug	8,556	1,632	10,188
Motor Vehicle	12,934	2,658	15,592
Weapons	509	364	873
Public Order	3,298	2,573	5,871
Other	2,614	4,607	7,221
<b>Superior Court</b>			
Person	1,097	158	1,255
Sex	343	21	364
Property	534	178	712
Drug	1,112	80	1,192
Motor Vehicle	56	74	130
Weapons	33	161	194
Public Order	17	32	49
Other	132	301	433

*Type of Offense: Drug Offenses.* There were an estimated 9,668 defendants convicted of a drug offense as the governing offense. These defendants were further classified as to the nature of the drug offense (distribution or possession) and the class of substance involved in the offense (Class A, Class B, Class C, Class D, or Class E).<sup>22 23</sup> A number of drug offenses were not assigned to either category (conspiracy, forging prescription, larceny of drug, inhaling toxic vapors, and giving drugs to prisoners).

Table 33 shows the nature of drug offense and class of substance by court department. There is a difference in the nature of drug offenses convicted in the district court and the superior court:

- in the district court, 2,913 or 34.0% of the drug offenses were classified as distribution offenses, 5,453 or 63.7% were classified as possession offenses, and 190 or 2.2% were not assigned to either category;
- in the superior court, 1,004 or 90.3% of the drug offenses were classified as distribution offenses, 73 or 6.6% were classified as possession offenses, and 35 or 3.1% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved possession of a Class D substance which accounted for 2,050 or 24.0% of all drug offenses convicted in the district court; and,
- in the superior court, the most frequently occurring drug offense involved distribution of a Class B substance which accounted for 742 or 66.7% of all drug offenses in the superior court.

---

<sup>22</sup> For purposes of this analysis, all cases involving trafficking, distribution, possession with intent to distribute, manufacturing, or dispensing were classified as distribution offenses. Cases convicted of distributing counterfeit substances or paraphernalia were assigned to the category of distribution offenses but no class of drug was assigned. Cases convicted of presence of Class A or hypodermic / syringe violations were assigned to the possession category.

<sup>23</sup> For purposes of this analysis all offenses involving heroin were assigned to the Class A category, all offenses involving cocaine were assigned to the Class B category, and all offenses involving marijuana were assigned to the Class D category. Cases convicted of distribution within a school zone were assigned to the class of substance for the underlying offense.

**Table 33. Drug Offenses: Nature of Offense and Class of Substance by Court Department**

Drug Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Distribution Offenses						
Class A	918	10.7%	215	19.3%	1,133	11.7%
Class B	1,201	14.0%	742	66.7%	1,943	20.1%
Class C	38	0.4%	2	0.2%	40	0.4%
Class D	674	7.9%	40	3.6%	714	7.4%
Class E	20	0.2%	0	0.0%	20	0.2%
Other Distribution Offenses	62	0.7%	5	0.4%	67	0.7%
Sub-Total	2,913	34.0%	1,004	90.3%	3,917	40.5%
Possession Offenses						
Class A	1,319	15.4%	26	2.3%	1,345	13.9%
Class B	1,559	18.2%	35	3.1%	1,594	16.5%
Class C	55	0.6%	0	0.0%	55	0.6%
Class D	2,050	24.0%	11	1.0%	2,061	21.3%
Class E	50	0.6%	0	0.0%	50	0.5%
Hypodermic/Syringe	420	4.9%	1	0.1%	421	4.4%
Sub-Total	5,453	63.7%	73	6.6%	5,526	57.2%
Other Drug Offenses	190	2.2%	35	3.1%	225	2.3%
Total	8,556	100.0	1,112	100.0	9,668	100.0

*Type of Offense: Mandatory Drug Offenses.* In this section, some of the characteristics of sentences imposed for mandatory drug offenses are discussed. Those defendants convicted of mandatory drug offenses were assigned to the sentencing guidelines grid and were included in all previously stated statistics.

Table 34 shows the number of defendants convicted of mandatory drug offenses by governing offense, offense seriousness level, criminal history group, and court department. There were an estimated 710 defendants convicted of mandatory drug offenses during FY 2000. Four offenses, distribution within a school zone,<sup>24</sup> distribution of cocaine, trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 592 or 83.4% of the convictions for mandatory drug offenses in FY 2000.

The most frequently occurring mandatory drug offense was distribution in a school zone, with 259 convictions or 36.5% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional defendants convicted of distribution in a school zone who are not otherwise reported in this category. Additional statistical information on school zone offenders can be found in Appendix B.

An estimated 444 or 62.5% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 266 or 37.5% were classified as criminal history groups C, D, or E.

---

<sup>24</sup> The offense category distribution within a school zone includes all violations of c. 94C § 32J within defined school, park, or playground zones. This category includes all convictions of c. 94C § 32J where the underlying offense involves trafficking, manufacturing, distributing, dispensing, cultivation, selling, or possession with intent to manufacture, distribute, dispense, cultivate, or sell.

**Table 34. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department**

Governing Offense, Offense Level and Court Department	Criminal History Group					Total
	A	B	C	D	E	
Superior Court						
Level 8 (15 Year Mandatory)						
Traffic Heroin 200+ grams	2	0	0	0	0	2
Traffic Cocaine 200+ grams	9	1	1	1	0	12
Sub-Total	11	1	1	1	0	14
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	3	0	0	0	0	3
Traffic Heroin 28 to 100 grams	2	1	0	0	0	3
Traffic Cocaine 100 to 200 grams	16	2	4	0	0	22
Sub-Total	21	3	4	0	0	28
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	3	2	0	0	0	5
Traffic Cocaine 28 to 100 grams	42	14	13	1	0	70
Distribute Cocaine, 2nd Offense	0	1	5	0	0	6
Distribute Class A, 2nd Offense	0	1	4	6	0	11
Sub-Total	45	18	22	7	0	92
Level 5 (3 Year Mandatory)						
Distribute Class B, 2nd Offense	0	19	15	14	1	49
Traffic Cocaine 14 to 28 grams	32	29	12	11	0	84
Sub-Total	32	48	27	25	1	133
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	74	46	43	16	0	179
Traffic Manjuana 50 to 100 pounds	2	3	0	0	0	5
Distribution w/i School or Park	30	29	41	9	0	109
Sub-Total	106	78	84	25	0	293
Sub-Total Superior Court	215	148	138	58	1	560
District Court						
Distribution w/i School or Park	39	42	44	23	2	150
Total	254	190	182	81	3	710



All convictions for mandatory drug offenses include a sentence to incarceration. Table 35 shows the jurisdiction to which the sentence was imposed by court department. The superior court has jurisdiction over all mandatory drug offenses. The district court has joint jurisdiction over only one mandatory drug offense, distribution within a school zone. As required, all district court convictions for mandatory drug offenses were sentenced to a house of correction. Of the superior court convictions for mandatory drug offenses, 172 or 30.7% were sentenced to a house of correction and 388 or 69.3% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 322 or 45.4% were sentenced to a house of correction and 388 or 54.6% were sentenced to the DOC.

**Table 35. Mandatory Drug Offenses: Jurisdiction by Court Department**

Jurisdiction	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
House of Correction	150	100.0%	172	30.7%	322	45.4%
DOC	0	0.0%	388	69.3%	388	54.6%
Total	150	100.0%	560	100.0%	710	100.0%

## **SENTENCING PRACTICES: OFFENSES NOT ASSIGNED TO THE GRID**

The sentencing guidelines grid was not intended for use in sentencing every convicted defendant. As indicated in Table 10, there were 8,209 defendants representing 12.9% of the sample who were convicted of offenses for which the sentencing guidelines grid did not apply. In this section some discussion of the defendants convicted of OUI offenses and mandatory firearms offenses is presented.

### **Sentencing Practices: OUI Offenses**

Convictions for Operating Under the Influence (OUI) offenses are not included in the sentencing guidelines grid. It was estimated that there were 6,792 convictions for OUI offenses in FY 2000. This includes convictions involving the operation of motor vehicles or boats and includes convictions involving the use of alcohol or drugs. Convictions for operating a motor vehicle after license suspended for an OUI offense are also included in

this analysis. Defendants charged with an OUI offense that resulted in a disposition of continued without a finding (CWO) were not included in this sample, as a CWO disposition was not considered a conviction for the purposes of the survey of sentencing practices. Table 36 shows the type of sentence imposed for OUI offenses by court department. For sentences involving a period of incarceration to a house of correction, the length of sentence imposed is also shown.

**Table 36. OUI Offenses: Type of Sentence Imposed by Court Department**

Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
State Prison Sentence	0	0.0%	10	30.3%	10	0.1%
House of Correction Sentence						
Less than 1 month	65	1.0%	0	0.0%	65	1.0%
1 Month	122	1.8%	0	0.0%	122	1.8%
2 Months	203	3.0%	1	3.0%	204	3.0%
3 to 5 Months	300	4.4%	1	3.0%	301	4.4%
6 to 8 Months	355	5.3%	1	3.0%	356	5.2%
9 to 11 Months	31	0.5%	0	0.0%	31	0.5%
12 to 14 Months	119	1.8%	4	12.1%	123	1.8%
15 to 17 Months	4	0.1%	0	0.0%	4	0.1%
18 to 20 Months	29	0.4%	4	12.1%	33	0.5%
21 to 23 Months	2	0.0%	0	0.0%	2	0.0%
24 to 26 Months	33	0.5%	5	15.2%	38	0.6%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	21	0.3%	5	15.2%	26	0.4%
Missing Sentence Information	4	0.1%	0	0.0%	4	0.1%
Sub-Total	1,288	19.1%	21	63.6%	1,309	19.3%
Probation	5,137	76.0%	1	3.0%	5,138	75.6%
Fine	269	4.0%	0	0.0%	269	4.0%
Other	65	1.0%	1	3.0%	66	1.0%
Total	6,759	100.0%	33	100.0%	6,792	100.0%

### **Sentencing Practices: Mandatory Firearms Offenses**

There were an estimated 151 defendants convicted where the governing offense was a mandatory firearms offense.

### **SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS**

In this section certain demographic characteristics of convicted defendants (gender, age, and race) are discussed in relation to observed sentencing outcomes. The legislature directed the commission to consider certain defendant characteristics when developing sentencing guidelines:

. . . The commission shall assure that the guidelines are neutral as to the race, sex, national origin, creed, religion and socio-economic status of offenders.<sup>25</sup>

In two separate studies, the Supreme Judicial Court suggested the need for further study of the relationship between defendant demographic characteristics and sentencing outcomes. In a study of gender bias in the courts, the Supreme Judicial Court noted the need for research that would be able to relate defendant gender, crimes committed, and criminal histories with disposition and sentencing outcomes.<sup>26</sup> In a study of racial and ethnic bias in the courts, the Supreme Judicial Court indicated the need to develop a consistent set of data that would allow an analysis of the relationship between sentencing practices and defendant characteristics.<sup>27</sup> Further, the Supreme Judicial Court recommended that the commission would be an appropriate entity to conduct such an inquiry:

After discovering some troubling patterns in preliminary research, the Commission on Racial and Ethnic Bias in the Courts believes that the legislature should allocate funds to the Sentencing Commission or to the Trial Court for a comprehensive study of sentencing disparities.<sup>28</sup>

---

<sup>25</sup> c. 211E § 3 (e).

<sup>26</sup> Supreme Judicial Court, *Report of the Gender Bias Study of the Supreme Judicial Court*, Boston, 1989, p. 121.

<sup>27</sup> Supreme Judicial Court, *Equal Justice: Eliminating the Barriers, Final Report of the Commission to Study Racial and Ethnic Bias in the Courts*, Boston, September 1994, p. 92.

<sup>28</sup> Op.cit., p. 92.

In the current survey of sentencing practices, the commission presents some summary data on the relationship between the demographic characteristics of defendants and sentencing outcomes. The commission intends to study these variables more fully in a later report.

### **Sentencing Practices: Defendant Gender**

As indicated in Figure 6, 14.5% of the convicted defendants were female and 85.5% of the convicted defendants were male.

**Figure 6. Defendant Gender**

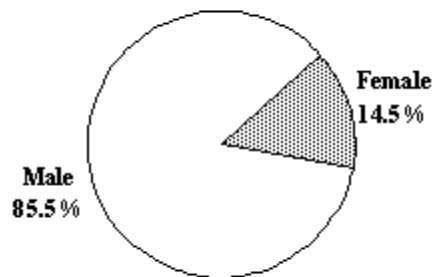


Table 37 shows the gender of defendants by court department. Of the defendants convicted in district court, 51,264 or 85.3% were male and 8,816 or 14.7% were female; and, of the defendants convicted in superior court, 3,081 or 89.0% were male and 380 or 11.0% were female.

**Table 37. Defendant Gender by Court Department**

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	51,264	85.3%	3,081	89.0%	54,345	85.5%
Female	8,816	14.7%	380	11.0%	9,196	14.5%
Total	60,080	100.0%	3,461	100.0%	63,541	100.0%

Table 38 shows the gender for all convicted defendants for the period FY 1994 to FY 2000. The number of convicted male and female defendants decreased during this period. The proportion of female defendants increased from 13.2% in FY 1994 to 14.5% in FY 2000.

**Table 38. Defendant Gender, FY 1994 to FY 2000**

Year of Conviction	Male		Female		Total	
	N	%	N	%	N	%
FY 1994	79,451	86.8%	12,060	13.2%	91,511	100.0%
FY 1995	72,387	86.6%	11,237	13.4%	83,624	100.0%
FY 1996	69,118	86.4%	10,892	13.6%	80,010	100.0%
FY 1997	66,798	86.0%	10,886	14.0%	77,684	100.0%
FY 1998	64,213	86.0%	10,481	14.0%	74,694	100.0%
FY 1999	58,943	85.6%	9,938	14.4%	68,881	100.0%
FY 2000	54,345	85.5%	9,196	14.5%	63,541	100.0%

Table 39 shows the grid cell assignment of convicted defendants by gender. While male and female defendants are represented to some extent at every level on the sentencing guidelines grid, female defendants were more often classified in the lower levels of offense seriousness and the less serious criminal history groups than male defendants:

- 1.3% of the female defendants were in the incarceration zone of the grid compared with 4.1% of the male defendants;
- 80.5% of the female defendants were classified as criminal history group A or B compared with 64.8% of the male defendants;
- 58.2% of the female defendants were classified as offense seriousness level 1 or 2 compared with 52.7% of the male defendants; and,
- the most frequently occurring grid cell for both male and female defendants was “2A”.

**Table 39. Defendant Gender by Grid Cell Assignment**

MALE								FEMALE								ALL DEFENDANTS							
	A	B	C	D	E	N	%		A	B	C	D	E	N	%		A	B	C	D	E	N	%
9	14	10	7	7	0	38	0.1%	9	3	1	0	0	0	4	0.0%	9	17	11	7	7	0	42	0.1%
8	46	22	23	16	1	108	0.2%	8	2	1	0	0	0	3	0.0%	8	48	23	23	16	1	111	0.2%
7	80	47	41	43	3	214	0.5%	7	8	6	1	0	0	15	0.2%	7	88	53	42	43	3	229	0.4%
6	235	118	109	105	2	569	1.2%	6	13	5	5	1	0	24	0.3%	6	248	123	114	106	2	593	1.1%
5	270	229	193	167	1	860	1.8%	5	37	20	7	5	0	69	0.8%	5	307	249	200	172	1	929	1.7%
4	1,220	918	747	648	7	3,540	7.5%	4	282	156	93	44	0	575	7.1%	4	1,502	1,074	840	692	7	4,115	7.4%
3	5,441	4,876	3,483	2,901	10	16,711	35.4%	3	1,315	786	372	191	1	2,665	32.7%	3	6,756	5,662	3,855	3,092	11	19,376	35.0%
2	5,465	4,323	2,752	2,216	17	14,773	31.3%	2	1,630	1,053	443	208	0	3,334	41.0%	2	7,095	5,376	3,195	2,424	17	18,107	32.7%
1	4,068	3,012	1,776	1,231	8	10,095	21.4%	1	768	422	152	57	0	1,399	17.2%	1	4,836	3,434	1,928	1,288	8	11,494	20.8%
N.A.	103	76	53	53	0	285	0.6%	N.A.	29	11	7	4	0	51	0.6%	N.A.	132	87	60	57	0	336	0.6%
Total	16,942	13,631	9,184	7,387	49	47,193	100.0%	Total	4,087	2,461	1,080	510	1	8,139	100.0%	Total	21,029	16,092	10,264	7,897	50	55,332	100.0%
%	35.9%	28.9%	19.5%	15.7%	0.1%	100.0%		%	50.2%	30.2%	13.3%	6.3%	0.0%	100.0%		%	38.0%	29.1%	18.5%	14.3%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration (Red) Zone	1,945	4.1%
Discretionary (Yellow) Zone	30,642	64.9%
Intermediate Sanction (Green) Zone	14,321	30.3%
Unassigned	285	0.6%
Total	47,193	100.0%

Sentencing Zone	N	%
Incarceration (Red) Zone	102	1.3%
Discretionary (Yellow) Zone	5,014	61.6%
Intermediate Sanction (Green) Zone	2,972	36.5%
Unassigned	51	0.6%
Total	8,139	100.0%

Sentencing Zone	N	%
Incarceration (Red) Zone	2,047	3.7%
Discretionary (Yellow) Zone	35,656	64.4%
Intermediate Sanction (Green) Zone	17,293	31.3%
Unassigned	336	0.6%
Total	55,332	100.0%

**Sentencing Practices: Defendant Age at Disposition**

The age of defendants at the time of disposition ranged from 16 years to 89 years. The mean age at disposition was 32.0 years and the median age at disposition was 31 years. Table 40 shows the age at disposition for all defendants by court department. Figure 7 graphically shows the age at disposition for all defendants.

**Table 40. Defendant Age at Disposition by Court Department**

Age at Disposition	District Court	Superior Court	All Courts
19 and younger	6,055	316	6,371
20 to 24	11,410	695	12,105
25 to 29	9,538	648	10,186
30 to 34	9,652	546	10,198
35 to 39	9,684	506	10,190
40 to 44	6,805	300	7,105
45 to 49	3,729	228	3,957
50 to 54	1,744	110	1,854
55 to 59	795	52	847
60 and older	668	60	728
Total	60,080	3,461	63,541
Youngest	17 Years	16 Years	16 Years
Oldest	89 Years	86 Years	89 Years
Mean	32.0 Years	32.0 Years	32.0 Years
Median	31 Years	30 Years	31 Years

**Figure 7. Defendant Age at Disposition**

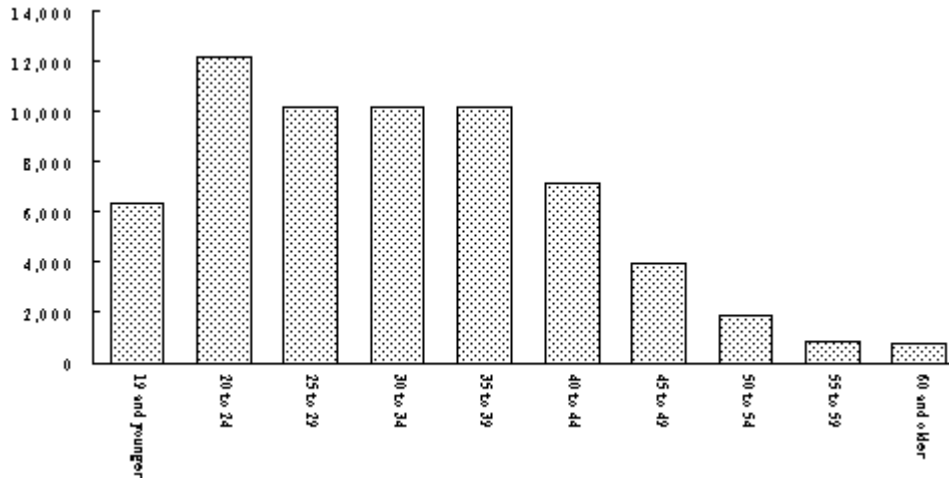


Table 41 shows the age at disposition for defendants convicted during the period FY 1994 to FY 2000. During the period the mean age of defendants increased from 30.6 years in FY 1994 to 32.0 years in FY 2000.

**Table 41. Defendant Age at Disposition, FY 1994 to FY 2000**

Age at Disposition	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Youngest	16 Years	16 Years	15 Years	15 Years	16 Years	16 Years	16 Years
Oldest	88 Years	84 Years	88 Years	90 Years	86 Years	91 Years	89 Years
Mean	30.6 Years	30.7 Years	31.0 Years	31.3 Years	31.5 Years	31.8 Years	32.0 Years
Median	29 Years	30 Years	30 Years	30 Years	31 Years	31 Years	31 Years



### **Sentencing Practices: Defendant Race**

In this section, defendant race is reported by court department, grid assignment, and type of offense. Defendant race is not available for 3.1% of the convicted defendants. Further discussion of the method used to collect defendant race and the rate of missing information can be found in Appendix A.

As indicated in Figure 8, 62.6% of the convicted defendants were white, 16.6% of the convicted defendants were black, 15.7% of the convicted defendants were hispanic, and 2.1% of the convicted defendants were other races. The race was unknown for 3.1% of the convicted defendants.

**Figure 8. Defendant Race**

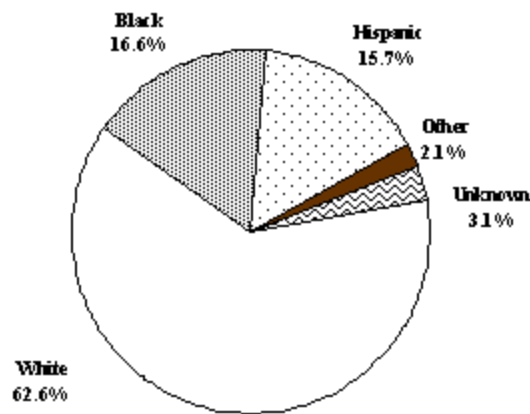


Table 42 shows defendants race by court department. The proportion of white defendants was higher in the district court than the superior court and the proportion of black defendants, hispanic defendants, and defendants of other races was higher in the superior court than the district court. Of the defendants convicted in the district court, 63.6% were white, and 33.3% were racial/ethnic minorities (16.2% were black, 15.0% were hispanic, and 2.1% were other races). The race was unknown for 3.1 % of the defendants convicted in the district court. Of the defendants convicted in the superior court, 44.8% were white, and 52.7% were racial/ethnic minorities (22.5% were black, 27.3% were hispanic, and 2.9% were other races). The race was unknown for 2.5% of the defendants convicted in the superior court.

**Table 42. Defendant Race By Court Department**

Defendant Race	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
White	38,202	63.6%	1,549	44.8%	39,751	62.6%
Black	9,739	16.2%	778	22.5%	10,517	16.6%
Hispanic	9,007	15.0%	944	27.3%	9,951	15.7%
Other	1,255	2.1%	102	2.9%	1,357	2.1%
Unknown	1,877	3.1%	88	2.5%	1,965	3.1%
<b>Total</b>	<b>60,080</b>	<b>100.0%</b>	<b>3,461</b>	<b>100.0%</b>	<b>63,541</b>	<b>100.0%</b>

Table 43 shows defendant race by grid assignment, type of offense, and mandatory status for drug offenses. The racial composition of convicted defendants varied by type of offense and grid assignment particularly among defendants convicted of mandatory drug offenses:

- 62.6% of all defendants were white, 34.3% of all defendants were racial/ethnic minorities (16.6% were black, 15.7% were hispanic, and 2.1% were other races), and the race was unknown for 3.1% of all defendants; and,
- 19.9% of defendants convicted of mandatory drug offenses were white, and 80.1% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (30.1% were black, 48.6% were hispanic, and 1.4% were other races).

Within the category of drug offenses the racial composition of convicted defendants also varied:

- 46.9% of defendants convicted of all drug offenses were white and 50.4% were racial/ethnic minorities;
- 55.8% of defendants convicted of possession offenses were white and 41.3% were racial/ethnic minorities;
- 35.6% of defendants convicted of non-mandatory distribution offenses were white and 61.2% were racial/ethnic minorities; and,
- 19.9% of defendants convicted of mandatory distribution offenses were white and 80.1% were racial/ethnic minorities.

**Table 43. Defendant Race by Type of Offense and Grid Assignment**

Offense Type and Grid Assignment	N	White %	Black N	%	Hispanic N	%	Other N	%	Unknown N	%	Total N	%
<b>Sentencing Grid</b>												
Person Offenses	7,734	58.9%	2,604	19.8%	2,211	16.8%	306	2.3%	273	2.1%	13,128	100.0%
Sex Offenses	450	64.4%	85	12.2%	131	18.7%	14	2.0%	19	2.7%	699	100.0%
Property Offenses	7,452	60.9%	2,342	19.1%	1,716	14.0%	302	2.5%	432	3.5%	12,244	100.0%
Drug Offenses												
Mandatory / Distribution	141	19.9%	214	30.1%	345	48.6%	10	1.4%	0	0.0%	710	100.0%
Non-Mandatory / Distribution	1,142	35.6%	821	25.6%	1,077	33.6%	64	2.0%	103	3.2%	3,207	100.0%
Possession	3,085	55.8%	1,086	19.7%	1,098	19.9%	98	1.8%	159	2.9%	5,526	100.0%
Other Drug Offense	167	74.2%	16	7.1%	31	13.8%	8	3.6%	3	1.3%	225	100.0%
Sub-total Drug	4,535	46.9%	2,137	22.1%	2,551	26.4%	180	1.9%	265	2.7%	9,668	100.0%
Motor Vehicle	8,438	65.0%	1,982	15.3%	1,767	13.6%	296	2.3%	507	3.9%	12,990	100.0%
Weapons	255	47.0%	126	23.2%	112	20.7%	34	6.3%	15	2.8%	542	100.0%
Public Order and Other Offenses	3,912	64.5%	846	14.0%	873	14.4%	95	1.6%	335	5.5%	6,061	100.0%
Sub-total Grid	32,776	59.2%	10,122	18.3%	9,361	16.9%	1,227	2.2%	1,846	3.3%	55,332	100.0%
<b>Not Assigned to Grid</b>												
OUI Offenses	6,008	88.5%	255	3.8%	381	5.6%	102	1.5%	46	0.7%	6,792	100.0%
Mandatory Firearms	23	15.2%	53	35.1%	56	37.1%	9	6.0%	10	6.6%	151	100.0%
Non-jailable	944	74.6%	87	6.9%	153	12.1%	19	1.5%	63	5.0%	1,266	100.0%
Sub-Total No Grid	6,975	85.0%	395	4.8%	590	7.2%	130	1.6%	119	1.4%	8,209	100.0%
Grand Total	39,751	62.6%	10,517	16.6%	9,951	15.7%	1,357	2.1%	1,965	3.1%	63,541	100.0%

Table 44 shows defendant race for the three year period for which this variable was reported as part of the Survey of Sentencing Practices, FY 1998 to FY 2000. There was little change in the racial composition of the defendant population during this period. The proportion of the defendant population for whom race information was not available declined from 5.5% in FY 1998 to 3.1% in FY 2000.

**Table 44. Defendant Race, FY 1998 to FY 2000**

Defendant Race	FY 1998		FY 1999		FY 2000	
	N	%	N	%	N	%
White	46,503	62.3%	42,843	62.2%	39,751	62.6%
Black	11,610	15.5%	11,167	16.2%	10,517	16.6%
Hispanic	11,010	14.7%	10,216	14.8%	9,951	15.7%
Other	1,446	1.9%	1,342	1.9%	1,357	2.1%
Unknown	4,125	5.5%	3,313	4.8%	1,965	3.1%
<b>Total</b>	<b>74,694</b>	<b>100.0%</b>	<b>68,881</b>	<b>100.0%</b>	<b>63,541</b>	<b>100.0%</b>

### **PART III. SUMMARY**

The survey of sentencing practices is a comprehensive study of defendants convicted in the courts of the commonwealth during FY 2000. In the survey, the offense of conviction and the criminal history of the defendant are linked with the sentencing outcome using the framework of the proposed sentencing guidelines grid. The survey notes the type of sentence imposed, the incarceration rate, and the sentence length for those defendants sentenced to a period of incarceration. The survey of sentencing practices provides a rich source of data for use by the commission in meeting its on-going responsibilities to monitor sentencing practices and to develop sentencing policy. Other criminal justice policy makers and members of the public interested in sentencing issues may find the survey useful as well.

## **APPENDIX A. METHOD**

### *Data Collection Method*

The survey of sentencing practices is based on an analysis of the Court Activity Record Information (CARI) database maintained by the Office of the Commissioner of Probation. The commission uses a copy of the database maintained at the Criminal History Systems Board (CHSB) for purposes of conducting this analysis.

The CARI database includes records of all criminal charges arraigned in adult criminal courts throughout the Commonwealth, including the superior court, district court, Boston Municipal Court, and US District Courts located within Massachusetts. The existence of this database affords the commission with a centralized source of information regarding current sentencing decisions in combination with a comprehensive set of information regarding the adult and juvenile criminal history of all defendants.

The analysis focuses on the disposition field in the database in order to identify those charges that resulted in conviction and the sentences resulting from those convictions. Further analysis focuses on the offense as it is recorded in the database along with any accompanying descriptive information in order to identify the offense of conviction.

### *Conviction Definition*

For purposes of conducting the survey of sentencing practices, only charges resulting in conviction are included in the analysis. A consistent definition of conviction is applied throughout the analysis. A vocabulary table including a sub-set of “words” is applied to an analysis of the disposition field of the CARI database to indicate convicted charges. Dispositions that are considered convictions include: guilty filed, guilty, probation, fine, house of correction commitment, state prison commitment, split sentence, and suspended sentence. Dispositions that are not considered convictions include: continued without finding, filed (absent a finding of guilt), dismissed, not guilty, and nol prossed.

Only those charges that were disposed of during the sampling time period were included in the construction of the sample. Charges that were excluded from the sample include:

- Charges that were disposed of with a result other than conviction during the sampling time period;
- Charges that were pending during the sampling time period; and,
- Charges that were arraigned during the sampling period but which were disposed of after the sampling period.

*Sampling Frame*

The date at which a determination of conviction / non-conviction was initially entered for the charge is referred to as the disposition date. The disposition date was identified through an analysis of the disposition field and is the date preceding the first conviction or disposition word for the charge. The charges selected for further analysis are those which reached a final disposition during a selected time frame.

If a sentence was subject to a revise & revoke procedure subsequent to the initial disposition date, the date on which the sentence was revised & revoked was considered the disposition date and the revised sentence was used in the further construction of the sample.

For the present survey, those charges reaching final disposition and resulting in conviction during FY 2000, or the period July 1, 1999, through June 30, 2000 constitute the initial sample of charges upon which further analysis is based. All charges reaching a conviction disposition during this time period are included in the sample regardless of when the offense occurred or when the charge was originally arraigned. Charges with an original disposition of CWOFF for which a finding of guilty was entered during FY 2000 are included in the sample.

*Type of Sentence Imposed*

Each convicted charge is classified into one of nine sentence groups:

- Life Sentence
- State Prison / Split Sentence
- State Prison Sentence
- Reformatory Sentence
- House of Correction / Split Sentence
- House of Correction Sentence
- Probation Sentence
- Fine Sentence
- Other Sentence

*Life Sentences.* Life sentences appear as a separate sentence group from the state prison category. A life sentence is any disposition in which the word “life” appears, excluding life time probation sentences. While most life sentences are given for the offense of murder, life sentences may be imposed for other offenses. Life sentences may also be in the form of a term of years to life. For example, a sentence for the offense of Armed

Robbery may be expressed as “20 years to life”. Under the habitual offender sentencing statute, those offenders receiving life sentences as habitual offenders are included in the life sentence group. In FY 2000, 52 defendants were classified in the life sentence group including 10 convicted of offenses other than murder. Of the ten defendants sentenced to life for offenses other than murder, five were sentenced as habitual offenders.

*Split Sentences.* Split sentences are characterized by a sentence that includes both a term of incarceration, the split portion, and a suspended sentence. Split sentences were defined as those dispositions with one or more split sentence words as defined in the vocabulary table.

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2000 for offenses occurring prior to that time and thus a state prison / split sentence could be imposed. In FY 2000, there were 15 state prison / split sentences imposed. These sentences are reported in the “other DOC” sentence category. House of correction / split sentences were those split sentences with no minimum suspended term; split sentences with a maximum suspended term of 30 months or less; or, split sentences with no sentence length information but convicted in a district court.

*State Prison Sentences.* State prison sentences are those sentences with one or more valid incarceration words with some additional characteristics. State prison sentences are those sentences with a minimum and a maximum term of incarceration of any length; one or more words specifying a state sentence with no minimum or maximum sentence length; or incarceration sentences with no sentence length information imposed by a superior court. Of the 1,527 defendants classified as state prison sentences, 2 were sentenced as habitual offenders.

*Other DOC Sentences.* This category includes state prison / split sentences, reformatory sentences, and some habitual offender sentences. Reformatory sentences were those incarceration sentences with no minimum term of incarceration and a maximum term of incarceration greater than 30 months. Although reformatory sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2000 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2000 there were no reformatory sentences imposed. The sentence structure of

habitual offenders is often similar to that of reformatory sentences, that is only a single sentence length is imposed, which is the statutory maximum. These defendants were also included in the “Other DOC” group unless a life or state prison sentence was imposed. In FY 2000, 5 defendants were sentenced as habitual offenders and classified in the “Other DOC” group.

*House of Correction Sentences.* House of correction sentences are those sentences with one or more valid incarceration words with some additional characteristics. House of correction sentences have no minimum term of incarceration and have a maximum term of incarceration of 30 months or less. House of correction sentences may be imposed by either the superior or district court.

*Probation Sentences.* Probation sentences are those sentences with one or more valid probation words. Probation sentences include sentences to straight probation as well as those with a suspended sentence to the state prison or house of correction. The estimates of the number of probation sentences does not include all defendants receiving probation supervision. Many defendants are supervised during a pre-trial period of probation, are supervised as the result of a non-conviction disposition (e.g. CWO or general continuance), or are supervised from & after a period of incarceration (e.g. split sentence or from & after probation).

*Other Sentences.* The other sentence group is the default group assigned for all convicted defendants. Most of the convictions in this group are the result of a guilty filed disposition.

*Sentencing Hierarchy.* In some instances an individual charge may be subject to multiple sentencing conditions upon conviction. For example, a fine may be given in conjunction with a house of correction sentence and a “split” sentence includes a term of incarceration along with a term of probation supervision. In all cases, the charge was assigned to a unique sentence group in a hierarchical fashion with precedence indicated by the order in which the sentence groups appear above. Beginning with the FY 2000 survey of sentencing practices all cases where a sentencing event included both a house of correction and a house of correction / split sentence were reviewed. When the committed portion of the house of correction / split sentence was longer than the house of correction sentence, the house of correction / split sentence was considered the governing offense; where the split portion of the house of correction / split sentence and the house of correction sentence were of the same length, the charge associated with the highest offense seriousness level was considered the governing offense; and where offense seriousness levels were the same, the charge associated with the split sentence was considered the governing offense.



*Initial Sentence.* The analysis focuses on the initial sentence given for a particular charge. Therefore, a charge that was originally sentenced to a fine and subsequently resulted in a commitment to a house of correction in lieu of payment of the fine was treated as a fine sentence. Similarly, a charge that was originally sentenced to straight probation or a suspended sentence and subsequently resulted in a commitment to a state or county correctional facility as a result of a probation violation was considered to be initially sentenced to a term of probation supervision.

*Stayed Sentences.* Adjustments to the assigned sentence group were made based on an analysis of the disposition field for the use of stayed sentencing. This was done in an attempt to distinguish short-term stays of sentence execution from longer term stays that resemble suspended sentences. Defendants with a sentence to incarceration where the time between the date of disposition and the date until which the sentence was stayed was 12 months or more were assumed to have non-incarcerative sentences. Defendants with a sentence to incarceration where the time between the date of disposition and the date until which the sentence was stayed was less than 12 months were considered to have a sentence to incarceration. For defendants whose sentence was defined as a house of correction / split sentence or a state prison / split sentence, no change in assigned sentence group was made. Further, for defendants whose sentence group was defined as a non-incarcerative sentence, no change in the sentence group was made.

### *Sentence Length*

For each incarcerative sentence group, a sentence length was selected:

Life	Life
State Prison	Minimum sentence
State Prison / Split	Split or committed sentence
Reformatory	Maximum sentence
House of Correction	Maximum sentence
House of Correction / Split	Split or committed sentence

In the analysis, sentence length is expressed in months and was derived using the following formula:

$$[\text{sentence-length-years} * 12] + [\text{sentence-length-months}] + [\text{sentence-length-days} / 30].$$

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 173 cases with missing sentence length

information, representing approximately 0.9% of the incarceration sentences. The number of cases with missing sentence length information is noted in Table 45.

**Table 45. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment**

Defendant Characteristic	Sentencing Guidelines Grid	Other
House of Correction Sentence	161	3
House of Correction / Split Sentence	8	1
District Court	166	4
Superior Court	3	0
Old Law	18	0
New Law	151	4
Mandatory Offense	0	1
Other Offense	169	3

### *Offense Seriousness Level*

All offenses were assigned to one of nine levels of offense seriousness, ranging from level 1, the lowest level of offense seriousness, to level 9, the highest level of offense seriousness. The assigned levels of offense seriousness were consistent with the levels of offense seriousness as assigned by the commission.

Offense titles in the CARI data base are assumed to reflect the offense of conviction. For each charge in the current sentence of a defendant, the offense, offense descriptors, court, type of sentence and length of sentence imposed were evaluated in order to ensure consistency with this assumption. In some instances the offense title was adjusted to a more appropriate level. For example, a conviction for rape in a district court or a conviction for rape with a house of correction sentence, was considered to be a conviction of Indecent Assault and Battery. During the data collection process for the FY 1999 Survey of Sentencing Practices, several changes were made to the offense seriousness levels of certain offenses. All data for the period FY 1994 to FY 1998 were restated to be consistent with these revisions.

Where the offense could be categorized in a number of statutory sections, the section associated with the lowest level of ranking was selected. For drug offenses where the class of substance was unknown and the criminal record of the defendant did not otherwise indicate a class of substance, it was assumed that the possession, distribution, or trafficking charge involved a class B substance.

### *Staircased Offenses*

For offenses where the commission assigned staircasing factors, the offense was generally assigned to the lowest level among the various staircasing levels. The analysis employed the following additional assumptions in assigning an offense seriousness level for the current offense of conviction:

Manslaughter	Level 8	Descriptive information indicates voluntary manslaughter No descriptive information and state prison sentence No descriptive information and state prison / split sentence No descriptive information and reformatory sentence
	Level 6	Descriptive information indicates involuntary manslaughter No descriptive information and house of correction sentence No descriptive information and house of correction / split sentence No descriptive information and non-incarceration sentence
Armed Robbery	Level 7	All cases where descriptive information indicates use of gun Random assignment of cases with no descriptive information such that 25% of all armed robbery cases are assigned to level 7
	Level 6	All cases where descriptive information does not include the use of a gun Random assignment of cases with no descriptive information such that 75% of all armed robbery cases are assigned to level 6
A&B w/DW	Level 6	Superior court state prison sentence Superior court state prison / split sentence Superior court reformatory sentence
	Level 4	Superior court house of correction sentence Superior court house of correction / split sentence District court incarceration sentence of 12 months or more

	Level 3	Superior court non-incarceration sentence District court incarceration sentence of less than 12 months District court non-incarceration sentence
Larceny More / RSG More	Level 4	State prison sentence State prison / split sentence Reformatory sentence
	Level 3	House of correction sentence House of correction / split sentence Non-incarceration sentence
Vehicular Homicide	Level 6	State prison sentence State prison / split sentence Reformatory sentence OUI and reckless or negligent indicated and house of correction sentence of 12 months or more OUI and reckless or negligent indicated and house of correction / split sentence of 12 months or more
	Level 4	OUI indicated and reckless or negligent not indicated and house of correction sentence OUI indicated and reckless or negligent not indicated and house of correction / split sentence OUI indicated and reckless or negligent not indicated and non-incarceration sentence  OUI not indicated and reckless indicated and house of correction sentence OUI not indicated and reckless indicated and house of correction / split sentence OUI not indicated and reckless indicated and non- incarceration sentence
	Level 3	OUI not indicated and reckless not indicated and house of correction sentence OUI not indicated and reckless not indicated and house of correction / split sentence OUI not indicated and reckless not indicated and non- incarceration sentence
B&E	Level 4	State prison sentence

	State prison / split sentence
	Reformatory sentence
Level 3	House of correction sentence
	House of correction / split sentence
	Non-incarceration sentence

### *Sentencing Events*

All charges reaching final disposition on a single date for a particular defendant were considered to constitute a “sentencing event”. The sentencing event constitutes the unit of analysis for the survey of sentencing practices and represents that event at which a charge, or group of charges, reaches final disposition and conviction. As currently defined, a sentencing event occurs on a single calendar day. Throughout the narrative, the terms convictions, defendants, and convicted defendants are used to refer to a “sentencing event”.

An individual defendant can have multiple sentencing events during any sampling time period. Individual defendants can appear multiple times in the sample, but are limited to a single sentencing event during any calendar month. One or more charges can be included in a sentencing event along with the initial conviction and sentencing decisions for each charge within that event. The sentencing event charges could have been arraigned on diverse dates. One or more courts can be included in a sentencing event. Federal court cases maintained in the CARI database were excluded from the construction of sentencing events.

From all charges disposed of at a “sentencing event”, a single charge was designated the “governing offense”. The charges were first ranked according to sentence group using the following hierarchy: life sentence, state prison sentence, reformatory sentence, state prison / split sentence, house of correction sentence, house of correction / split sentence, probation sentence, fine sentence, and other sentence. Within a sentence group, the charge with the longest sentence was selected, and within a sentence length, the charge with the most serious offense level as defined by the commission was selected. Within an offense level, the docket number assigned determined the charge selected as the governing offense.

In the FY 2000 Survey of Sentencing Practices all other charges resulting in a conviction as part of the ‘sentencing event’ were reviewed and were called ‘secondary convictions’: This survey reports on the total number of charges resulting in conviction (see Table 6) and the type of offense in those secondary convictions (see Table 32).

The method used to assign the “governing offense” differs in some respects from the method used to assign the “governing offense” under guidelines. Under guidelines, the governing offense will always be associated with the highest offense level. The assignment of “governing offense” for purposes of the survey of sentencing practices incorporates information about the sentence imposed and was not solely based on the offense seriousness level.

*Criminal History Group*

Each defendant was assigned to a criminal history group in accordance with the five level criminal history scale established by the commission:

- E      Serious Violent Record  
Two or more prior convictions for offenses in level 7 through 9
- D      Violent or Repetitive Record  
One prior conviction for offenses in levels 7 through 9, or  
Two or more prior convictions for offenses in levels 5 or 6, or  
Six or more prior convictions in levels 3, 4, 5 or 6
- C      Serious Record  
One prior conviction for offenses at levels 5 or 6, or  
Three to five prior convictions for offenses in levels 3 or 4
- B      Moderate Record  
One or two prior convictions for offenses in 3 or 4, or  
Six or more prior convictions for offenses in levels 1 or 2
- A      No/Minor Record  
One to five prior convictions for offenses in levels 1 or 2, or  
No prior convictions of any kind

In assigning cases to one of the five categories in the criminal history scale both the number of prior convictions and the seriousness of each prior conviction was considered.

*Convictions.* Only charges resulting in conviction were included in the construction of the criminal history scale. The conviction definition used for constructing the sentencing event was applied to the construction of the criminal history scale.

*Prior Convictions.* The criminal history includes only those charges which reached a final disposition prior to the disposition date of the current sentencing event. An assumption was made that for both criminal history events and for sentencing events, the date of arraignment for a charge is always on or before the disposition date for the charge. For arraignment events, it was further assumed that charges are substantially disposed of in order of arraignment. Therefore, the criminal history includes those charges which resulted in a conviction and whose arraignment date precedes the arraignment date of the governing offense in the current sentencing event.

*Multiple Prior Convictions.* The criminal history scale counts multiple convictions resulting from separate charges as a single conviction if those charges have the same arraignment date. This is consistent with the policy of the commission that multiple convictions arising from the same incident should be counted as one prior conviction, based on the most serious offense. All cases arraigned on a single date constitute an arraignment event. An arraignment event includes only convicted charges, can include charges disposed of on diverse dates, and can include federal court cases that appear as part of the CARI database.

*Selecting a Governing Offense.* From all charges disposed of at an “arraignment event” a single charge is designated the “governing offense” for purposes of assigning the criminal history group. The charge with the highest offense seriousness level as defined by the commission is selected as the governing offense. If multiple charges have the same offense seriousness level, the charge with the earliest disposition date is selected as the governing offense. Each arraignment event counts only once in the criminal history, regardless of the number of charges disposed of at that event.

The method may underestimate the number of defendants in the highest criminal history groups. For staircased offenses, the method calls for assigning the prior convictions to the lower(est) offense seriousness level. For example, all prior convictions for Armed Robbery where the use of gun was not specifically noted, were assigned to level 6, thereby underestimating those that were at level 7 (display of gun). Further, the method did not take into account the presumption that prior convictions with the same arraignment date represent a single incident (one prior conviction) may be rebutted and some such prior convictions may be counted as separate prior convictions.

There are differences in construction between the sentencing event and the arraignment event that should be noted. In the sentencing event, the longest sentence determines the governing offense, and in the arraignment event, the most serious offense (as defined by the commission) determines the governing offense. For example, a defendant has two charges disposed of in a single date: Aggravated Rape (guilty filed) and Assault and

Battery by means of a Dangerous Weapon (2-3 years committed). The sentencing event is defined for the charge with the longest sentence, Assault and Battery by means of a Dangerous Weapon, and the arraignment event is defined for the charge with the highest offense seriousness level, Aggravated Rape.

In the FY 1999 Survey of Sentencing Practices, changes were made to the estimates of defendants criminal history that result in fewer defendants classified in criminal history group A and E. All criminal history estimates for the period FY 1994 to FY 1998 were re-stated to be consistent with these revisions.

### *Juvenile Criminal History*

Consistent with the policy established by the commission, juvenile criminal history was also considered in the construction of the criminal history scale. Adjudications of delinquency for offenses classified in levels 7, 8, and 9 were counted for purposes of classifying the defendant into one of five criminal history groups; other adjudications of delinquency in the juvenile record were not counted for purposes of classifying the defendant into one of the five criminal history groups. There was no age limit on the age of the juvenile at the time of conviction, all noted adjudications were considered, regardless of the age of the defendant at the time of the juvenile criminal history or the current age of the adult defendant.

In evaluating the juvenile criminal record a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication of delinquency were considered; an incident based approach was applied to counting juvenile adjudications (only one juvenile adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the juvenile criminal history. Some further assumptions used in the construction of the juvenile criminal history model include: all juvenile criminal history adjudications were assumed to precede any adult criminal history convictions; and there was no constraint on the types of offenses that could be charged in juvenile courts.

When considering juvenile charges, no modifications to offense title by court, or sentence type were made. It was assumed that juvenile court has jurisdiction over all offenses and all dispositions were available for all offenses.

The following types of adjudications were counted toward the juvenile criminal history: DYS commitments (imposed or suspended), probation, and adjudicated delinquent/filed. The following types of adjudications were not considered juvenile adjudications: “G Filed” or “Fine” with no specific finding of “Adj Del” with the filing or fine.



*Youthful Offender Dispositions*

The youthful offender law allows judges sitting in juvenile court to sentence certain juvenile offenders to an adult sentence or to a combination adult / DYS sentence.<sup>29</sup> Adjudications in juvenile court under the youthful offender law were treated separately from other juvenile adjudications. Adjudications under the youthful offender law which resulted in the imposition of an adult sentence by the juvenile court were not included as convictions or sentencing events for the purposes of constructing the sample for the current survey of sentencing practices. For juveniles charged with murder, the cases are heard in adult court. If those cases resulted in a commitment to DYS, the case was not included in the sample. If those cases resulted in an adult sentence, the case was included in the sample.

During FY 2000 there were 152 cases where a defendant sentenced as an adult also had a prior adjudication under the youthful offender law that could affect the classification of the defendant into a criminal history group. Adjudications under the youthful offender law were classified as to the type of sentence imposed: adult sentence, combination adult/DYS sentence, or DYS sentence. For some records, the disposition information on multiple records was used to assign the sentence type.

- all adjudications under the youthful offender act for offenses classified in levels 7, 8, or 9 were counted as convictions for purposes of classifying the defendant into one of five criminal history groups;
- adjudications under the youthful offender act for which an adult sentence was imposed for offenses classified in levels 1 through 6 as convictions were counted for purposes of classifying the defendant into one of five criminal history groups; and,
- adjudications under the youthful offender act for which a combination adult/DYS sentence or a DYS sentence was imposed for an offense classified in levels 1 through 6 were not counted for purposes of criminal history group classification.

In evaluating the youthful offender criminal record a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication as a youthful offender were considered; an incident based approach was applied to counting

---

<sup>29</sup> St. 1996, c. 200 was effective for offenses committed on or after October 1, 1996 except for juveniles charged with murder. For these individuals the effective date of the law was July 27, 1996.

adjudications (only one adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the criminal history. Some further assumptions used in the construction of the youthful offender criminal history model include:

- the disposition date of the youthful offender adjudication was considered and had to be prior to the disposition of the adult record;
- there was no constraint on the types of offenses that could be indicted as youthful offenders;
- descriptive information available in the record was considered in assigning the offense seriousness level;
- adjudicated cases with the same arraignment date were assigned to the same sentence type in a hierarchical fashion (adult, combination, DYS);
- cases were assigned to the adult sentence group if there was any term of incarceration that was committed, including split sentences or incarcerations that occurred as the result of a violation of probation;
- cases were assigned to the combination sentence group if there was any term of incarceration that was suspended; and,
- cases were assigned to the DYS sentence group if there was a committed or suspended term to DYS, probation with no term, or delinquent filed.

### *Sentencing Guidelines Grid Assignment*

Consistent with the classification under proposed guidelines, most cases were assigned to the sentencing guidelines grid. Those cases assigned to the sentencing guidelines grid include all cases where the sentencing guidelines grid would have been considered if the sentencing guidelines had been enacted along with those defendants convicted of murder. Those cases not assigned to the sentencing guidelines grid include convictions for OUI offenses, mandatory firearms offenses, and offenses for which a sentence of imprisonment is not provided by statute. In constructing the FY 1999 Survey of Sentencing Practices data base the grid assignment of certain offenses was modified. All data from the period FY 1994 to FY 1998 were restated to be consistent with these changed definitions.

Sentencing for the offense of murder would not be changed under the proposed sentencing guidelines. However, murder is used to illustrate level 9 on the sentencing guidelines grid and those defendants convicted of murder have been included as level 9 for purposes of statistical reporting in this survey of sentencing practices.

The method should not be considered a comprehensive compilation of OUI sentencing. Many first offense OUI cases are disposed of through a CWOFF and thus were not included in this sample. The method should not be considered a comprehensive compilation of sentencing for non-jailable offenses. Many charges and convictions for non-jailable offenses were not systematically included as part of the CARI database.

For each case assigned to the sentencing guidelines grid, the intersection of the offense seriousness level and criminal history group constitutes the grid cell for the defendant. Each of the grid cells is further assigned to one of three sentencing zones: incarceration, discretionary, or intermediate sanctions.

A number of cases were placed in an unassigned level of offense seriousness. These cases involve convictions for offenses for which the commission recommended that the offense seriousness level be contingent on the associated criminal activity. Convictions involving an attempt, conspiracy, or accessory are placed into this unassigned level of offense seriousness category.

#### *Truth-in-Sentencing Definition*

During FY 2000, defendants were sentenced under the provisions of the old law (pre-truth-in-sentencing reform) and the new law (post-truth-in-sentencing reform). The law under which a defendant was sentenced is based on the date on which the offense occurred. The date of offense is not available in the CARI database upon which the survey of sentencing practices was based. The method used to estimate the sentencing law applicable in an individual case involved an evaluation of the arraignment date, court department, and sentence imposed:

- cases sentenced in the superior court with an arraignment date prior to September 1, 1994 were assumed to be an old law cases;
- cases sentenced in the superior court with an arraignment date of September 1, 1994 or later were assumed to be new law cases;
- cases sentenced in the district court with an arraignment date prior to July 1, 1994 were assumed to be old law cases;
- cases sentenced in district court with an arraignment date of July 1, 1994 or later were assumed to be new law cases;
- for cases sentenced to state prison for 12 months or less, superior court arraignment dates prior to September 1, 1994, and related district court arraignment dates of July 1, 1994 or later were assumed to be new law cases; and,
- for all courts and arraignment dates, reformatory sentences, suspended state prison sentences, and state prison / split sentences were assumed to be old law cases.

Throughout the narrative the term old law refers to cases sentenced under the pre-truth-in-sentencing reform statutes and the term new law refers to cases sentenced under post-truth-in-sentencing statutes.

### *Court Department*

All convictions were assigned to one of two court departments, district court or superior court, based on the court associated with the conviction of the governing offense.

*District Court.* Boston Municipal Court is included in the district court category. During FY 2000 a number of convictions occurred in Jury-of-Six sessions. These convictions were included in the district court category.

*Juvenile Court.* There were a number of adult defendants convicted in juvenile court during the sampling frame. These convictions were most often associated with the charge of failure to send child to school or contributing to delinquency. These convictions were included in the district court category.

Adjudications under the youthful offender law which result in the imposition of an adult sentence by the juvenile court were not included as convictions for the purposes of constructing the sample for the current survey of sentencing practices.

*Federal Court.* Criminal charges disposed of in a federal district court located in Massachusetts are generally included as a part of the CARI database. These dispositions are not included in defining the sentencing event, even if the charge was disposed of and resulted in a conviction during the sampling period. These dispositions were included in assessing the criminal history of defendants.

### *Jurisdiction*

All sentences to incarceration were assigned to the jurisdiction of the DOC or to the jurisdiction of a house of correction. All house of correction sentences and house of correction / split sentences were assumed to be within the jurisdiction of a house of correction. All life sentences, state prison sentences, and other DOC sentences were assumed to be within the jurisdiction of the DOC. During FY 2000, some female defendants with house of correction sentences were in the custody of the DOC at the correctional facility for females. For purposes of the statistical analysis, these female defendants were considered within the jurisdiction of a house of correction.

For certain offenses, such as manslaughter, when imposing a sentence of incarceration, a superior court judge may sentence a defendant to the jurisdiction of a house of correction or to the jurisdiction of the DOC. For other offenses, such as Robbery, a superior court judge, when imposing a sentence of incarceration, may only sentence a defendant to the jurisdiction of the DOC. Finally, for other offenses, such as Assault & Battery, a superior court judge, when imposing a sentence of incarceration may only sentence a defendant to the jurisdiction of a house of correction. Subsequent to truth-in-sentencing reform, district court judges, when imposing a sentence of incarceration, can only impose a sentence to a house of correction. Prior to truth-in-sentencing reform, district court judges could impose reformatory sentences. In FY 2000 there were no district court incarceration sentences to the jurisdiction of the DOC.

### *Comparison of Existing Sentencing and Proposed Sentencing Guidelines*

The actual sentence imposed was compared to the sentencing guidelines range for all cases assigned to the sentencing guidelines grid in order to estimate whether the sentence was below the guideline range, within the guideline range, or above the guideline range. The method used to assign the cases was:

- all incarceration sentences imposed in the intermediate sanction zone were considered above the range and all non-incarceration sentences imposed in the incarceration zone were considered below the range;
- for incarceration sentences in the discretionary zone and the incarceration zone the length of the sentence was compared with the sentencing range using the following method:
  - all life sentences at offense level 9 and grid cell “8E” were considered to be within the range and all other life sentences were considered to be above the range;
  - the minimum sentence of all “old law” state prison sentences was compared to the range;
  - the maximum sentence of all “new law” state prison sentences was compared to the range;
  - the committed portion of all state prison / split sentences was compared to the range;
  - the sentence length of all house of correction sentences was compared to the range;
  - the committed portion of all house of correction / split sentences was compared to the range

- the comparative analysis was not completed for 455 individuals. Excluded from the comparative analysis were all reformatory sentences, all cases not assigned to an offense seriousness level, all incarceration sentences with missing sentence length, and defendants convicted of six offenses where statutory minimum incarceration sentences might be imposed (home invasion, armed assault in dwelling, armed burglary, child pornography (level 6), distribution of paraphernalia, and drug for sexual intercourse);
- in all cases where the sentence length was compared to the range the sentence length was not truncated or rounded prior to making the comparison. Thus, a “new law” state prison sentence of 5 years to 5 years and 1 day imposed in grid cell “6A” was considered an upward departure based on the maximum sentence being 1 day over the upper limit of the range; and,
- beginning with the FY 2000 sample, all cases convicted in the district court and assigned to a grid cell with a lower limit of more than 30 months were considered to have a grid cell range of 20 to 30 months.

*Post-Release Probation Supervision*

For those sentencing events for which a life sentence, state prison sentence, reformatory sentence, or house of correction sentence was imposed for the governing offense, any remaining charges for which the defendant was convicted were evaluated to determine if a probation sentence, state prison / split sentence or house of correction / split sentence was also imposed as part of that sentencing event. Incarceration sentences were only considered to have a period of post-release probation supervision if the sentences were imposed as part of the same sentencing event. The offense seriousness level for incarceration sentences involving a period of post-release probation supervision was taken from the governing offense which is that offense associated with the incarceration portion of the sentence, regardless of the relative offense seriousness level of the offense associated with any other sentences.

*Demographic Characteristics*

Offender demographics characteristics (gender, age, and race) were collected from the offender identification section of the CARI database. The CARI database maintains multiple identification records to capture multiple identification information reported by the defendant (e.g. aliases and dates of birth). Where multiple identification records were available for a particular defendant, those records were scanned for completeness of demographic information. Among those records with complete demographic information, that record with the oldest recorded date of birth was used, that is the date of birth which makes the offender appear to be older. Using this data collection method, date of birth and gender were available for 100.0% of convicted defendants.

Race was not universally available. All of the tables contain in the report include those defendants for whom race is missing in the statistical tabulations. Table 46 shows the availability of defendant race by month of disposition, sentence type, county of conviction, court department, and gender.

**Table 46. Availability of Defendant Race by Selected Defendant Characteristics**

Defendant Characteristic	Race Known		Race Unknown		Total	
	N	%	N	%	N	%
<b>Disposition Month</b>						
July 1999	5,221	96.7%	176	3.3%	5,397	100.0%
August 1999	5,096	96.4%	193	3.6%	5,289	100.0%
September 1999	5,539	96.5%	201	3.5%	5,740	100.0%
October 1999	5,355	96.9%	169	3.1%	5,524	100.0%
November 1999	5,107	96.9%	161	3.1%	5,268	100.0%
December 1999	4,939	97.2%	141	2.8%	5,080	100.0%
January 2000	5,183	96.9%	165	3.1%	5,348	100.0%
February 2000	5,008	97.0%	154	3.0%	5,162	100.0%
March 2000	5,590	97.2%	162	2.8%	5,752	100.0%
April 2000	4,406	97.0%	135	3.0%	4,541	100.0%
May 2000	5,177	96.9%	166	3.1%	5,343	100.0%
June 2000	4,955	97.2%	142	2.8%	5,097	100.0%
Total	61,576	96.9%	1,965	3.1%	63,541	100.0%
<b>Sentence Group</b>						
Life	48	92.3%	4	7.7%	52	100.0%
State Prison	1,473	96.5%	54	3.5%	1,527	100.0%
Other DOC	19	95.0%	1	5.0%	20	100.0%
House	11,647	97.2%	333	2.8%	11,980	100.0%
House / split	5,526	98.4%	91	1.6%	5,617	100.0%
Probation	31,893	97.7%	758	2.3%	32,651	100.0%
Fine	6,789	497.0%	493	6.8%	7,282	100.0%
Other	4,181	94.8%	231	5.2%	4,412	100.0%
Total	61,576	96.9%	1,965	3.1%	63,541	100.0%
<b>County</b>						
Barnstable	1,880	98.5%	29	1.5%	1,909	100.0%
Berkshire	1,641	98.4%	27	1.6%	1,668	100.0%
Bristol	6,434	95.9%	275	4.1%	6,709	100.0%
Dukes	147	99.3%	1	0.7%	148	100.0%
Essex	6,818	98.5%	101	1.5%	6,919	100.0%
Franklin	889	99.2%	7	0.8%	896	100.0%
Hampden	6,697	96.7%	231	3.3%	6,928	100.0%
Hampshire	1,375	97.9%	29	2.1%	1,404	100.0%
Middlesex	8,605	96.6%	302	3.4%	8,907	100.0%
Nantucket	74	97.4%	2	2.6%	76	100.0%
Norfolk	3,818	98.0%	76	2.0%	3,894	100.0%
Plymouth	4,222	99.1%	40	0.9%	4,262	100.0%
Suffolk	8,800	96.5%	323	3.5%	9,123	100.0%
Worcester	10,176	95.1%	522	4.9%	10,698	100.0%
Total	61,576	96.9%	1,965	3.1%	63,541	100.0%
<b>Court Department</b>						
District	58,203	96.9%	1,877	3.1%	60,080	100.0%
Superior	3,373	97.5%	88	2.5%	3,461	100.0%
Total	61,576	96.9%	1,965	3.1%	63,541	100.0%
<b>Gender</b>						
Female	8,821	95.9%	375	4.1%	9,196	100.0%
Male	52,755	97.1%	1,590	2.9%	54,345	100.0%
Total	61,576	96.9%	1,965	3.1%	63,541	100.0%



## **APPENDIX B. ADDITIONAL STATISTICAL TABLES**

The first table in this appendix presents additional information about defendants convicted of the offense of distribution of controlled substance in a school zone. The next seven tables present additional detailed information on the governing offenses of convicted defendants from the survey of sentencing practices.

### *School Zone Offenders*

The most frequently occurring mandatory drug offense was distribution in a school zone, with 259 convictions, or 36.5% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying drug offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional offenders convicted of distribution in a school zone. Table 47 shows some additional information on those offenders convicted of school zone offenses.

The first portion of the table considers all defendants convicted of one or more charges for distribution within a school zone whether the school zone charge was the governing offense or some other offense. As indicated in this table:

- There were 259 defendants for whom the school zone offense was the governing offense; and,
- There were 58 defendants who had one or more convictions of school zone for whom the school zone offense was not the governing offense, because the sentence received on the other offense was longer than the sentence imposed for the school zone offense:
  - 35 had a mandatory drug offense as the governing offense; and,
  - 23 had some other offense as the governing offense.

The second portion of the table considers the nature of the underlying drug offense and the sentence imposed for that offense for those 317 defendants with one or more convictions of distribution in a school zone. Of these 317 defendants:

- the underlying drug offense was a mandatory drug offense for 61 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 256 defendants.

- 246 had a house of correction sentence imposed for the underlying drug offense and of these sentences 144 were for 1 day;
- 63 had a state prison sentence imposed for the underlying drug offense; and,
- 8 had some other sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 317 school zone defendants.

#### *Incarceration Status*

Table 48 shows incarceration status by governing offense for all convicted defendants assigned to the sentencing guidelines grid. Offenses are shown in descending order of offense seriousness level. For each offense, the total number of convicted defendants, the number of incarcerated defendants, and the incarceration rate are shown. The same information is shown for each criminal history group.

For example, the offense of Indecent A&B On Child is a level 5 offense. A total of 190 defendants were convicted of this offense including 114 in criminal history group A, 37 in criminal history group B, 24 in criminal history group C, 15 in criminal history group D, and none in criminal history group E. Of the 190 convicted defendants, a total of 125 received a sentence of incarceration, for an overall incarceration rate of 66%. Of the 114 defendants in criminal history group A, a total of 69 received a sentence of incarceration, for an incarceration rate of 61%; of the 37 defendants in criminal history group B, a total of 29 received a sentence of incarceration for an incarceration rate of 78%; of the 24 defendants in criminal history group C, 17 received a sentence of incarceration for an incarceration rate of 71%; and of the 15 defendants in criminal history group D, 10 received a sentence of incarceration, for an incarceration rate of 67%.

Table 49 shows the same information for defendants convicted in district court. For example, as indicated in Table 49, there were a total of 129 convictions for Indecent A&B on Child in the district court. Of these 129 convictions, 77 resulted in a sentence to incarceration for an overall incarceration rate of 60%. The number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

Table 50 shows the same information for defendants convicted in superior court. As indicated in Table 50, there were a total of 61 convictions for Indecent A&B on Child in the superior court. Of these 61 convictions, 48 resulted in a sentence to incarceration for

an overall incarceration rate of 79%. As in the previous two tables, the number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

#### *State Prison Sentences*

Table 51 and Table 52 show sentence length information for those defendants sentenced to the state prison by governing offense and grid cell assignment. In Table 51 the total number of convicted defendants, the mean minimum sentence, and the median minimum sentence are shown. For example, for the offense of mayhem, a level 7 offense, there were 20 defendants sentenced to the state prison in FY 2000. The mean minimum state prison sentence for mayhem was 71.1 months and the median minimum sentence for mayhem was 51.0 months.

In Table 52 the total number of convicted defendants, the mean maximum sentence, and the median maximum sentence are shown. Again, using the example of the offense of mayhem, a level 7 offense, there were a total of 20 defendants convicted of mayhem and sentenced to the state prison. The mean maximum sentence for mayhem was 90.0 months and the median sentence for mayhem was 60.0 months.

#### *House of Correction Sentences*

Table 53 shows sentence length information for those defendants who were sentenced to a period of incarceration in a house of correction. The table includes defendants convicted in district court and superior court. The table includes defendants who received a house of correction sentence or a house of correction / split sentence. For defendants receiving a house of correction sentence, the maximum sentence length is used in the analysis and for defendants serving house of correction / split sentences, the split or committed portion of the sentence is used in the analysis. There were 169 cases where sentence length information was not available. These cases were excluded from the analysis.

The table shows the total number of convicted defendants, the mean sentence and the median sentence. For example, the offense Possession of Burglarious Tools is a level 3 offense. There were 90 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 8.5 months and the median house of correction sentence was 6.0 months. The number of convicted defendants and the mean and median sentence length are also shown for each criminal history group.

*Type of Offense*

Table 54 shows information on incarceration rates by type of offense. All offenses were assigned to a type of offense: person, sex, property, drug, motor vehicle, weapons, public order, and other. As indicated in Table 54:

- there were 13,128 defendants convicted of person offenses with an incarceration rate of 41%;
- there were 699 defendants convicted of sex offenses with an incarceration rate of 63%;
- there were 542 defendants convicted of weapons offenses with an incarceration rate of 45%;
- there were 12,244 defendants convicted of property offenses with an incarceration rate of 35%;
- there were 9,668 defendants convicted of drug offenses with an incarceration rate of 40%;
- there were 12,990 defendants convicted of motor vehicle offenses with an incarceration rate of 18%;
- there were 2,746 defendants convicted of other offenses with an incarceration rate of 24%; and,
- there were 3,315 defendants convicted of public order offenses with an incarceration rate of 16%.

**Table 47. Mandatory Drug Offenses: Selected Characteristics of Defendants  
Convicted of Distribution in School Zone by Court Department**

	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
<b>Governing Offense</b>						
Governing Offense: School Zone	150	92.6%	109	70.3%	259	81.7%
Governing Offense: Other Mandatory Drug	0	0.0%	35	22.6%	35	11.0%
Governing Offense: All Other Offenses	12	7.4%	11	7.1%	23	7.3%
<b>Total</b>	<b>162</b>	<b>100.0%</b>	<b>155</b>	<b>100.0%</b>	<b>317</b>	<b>100.0%</b>
<b>Underlying Offense of Conviction</b>						
Trafficking Cocaine 14-28 grams	0	0.0%	5	3.2%	5	1.6%
Trafficking Cocaine 28-100 grams	0	0.0%	2	1.3%	2	0.6%
Trafficking Cocaine 100-200 grams	0	0.0%	3	1.9%	3	0.9%
Trafficking Heroin 28-100 grams	0	0.0%	1	0.6%	1	0.3%
Trafficking Heroin 100-200 grams	0	0.0%	1	0.6%	1	0.3%
Distribution Class A	70	43.2%	31	20.0%	101	31.9%
Distribution Class A, 2nd Offender	0	0.0%	7	4.5%	7	2.2%
Distribution Class B	72	44.4%	59	38.1%	131	41.3%
Distribution Class B, 2nd Offender	0	0.0%	6	3.9%	6	1.9%
Distribution Cocaine / Mandatory	0	0.0%	35	22.6%	35	11.0%
Distribution Cocaine / 2nd	0	0.0%	1	0.6%	1	0.3%
Distribution Class D	18	11.1%	4	2.6%	22	6.9%
Distribution Class E, 2nd Offender	1	0.6%	0	0.0%	1	0.3%
Distribution Counterfeit	1	0.6%	0	0.0%	1	0.3%
<b>Total</b>	<b>162</b>	<b>100.0%</b>	<b>155</b>	<b>100.0%</b>	<b>317</b>	<b>100.0%</b>
<b>Sentence Imposed / Underlying Drug Offense</b>						
<b>Non-incarcerative Sentence</b>	5	3.1%	3	1.9%	8	2.5%
<b>House of Correction Sentence</b>						
1 Day	105	64.8%	39	25.2%	144	45.4%
2 Days to 5 Months	5	3.1%	8	5.2%	13	4.1%
6 Months to 11 Months	7	4.3%	7	4.5%	14	4.4%
12 Months to 17 Months	12	7.4%	24	15.5%	36	11.4%
18 Months to 23 Months	1	0.6%	2	1.3%	3	0.9%
24 Months or More	27	16.7%	9	5.8%	36	11.4%
<b>Sub-Total</b>	<b>157</b>	<b>96.9%</b>	<b>89</b>	<b>57.4%</b>	<b>246</b>	<b>77.6%</b>
<b>State Prison Sentence</b>	0	0.0%	63	40.6%	63	19.9%
<b>Total</b>	<b>162</b>	<b>100.0%</b>	<b>155</b>	<b>100.0%</b>	<b>317</b>	<b>100.0%</b>
<b>Defendant Race</b>						
White	28	17.3%	19	12.3%	47	14.8%
Black	52	32.1%	56	36.1%	108	34.1%
Hispanic	78	48.1%	78	50.3%	156	49.2%
Other	3	1.9%	2	1.3%	5	1.6%
Unknown	1	0.6%	0	0.0%	1	0.3%
<b>Total</b>	<b>162</b>	<b>100.0%</b>	<b>155</b>	<b>100.0%</b>	<b>317</b>	<b>100.0%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	17	11	7	7	0	42	17	11	7	7	0	42	100%	100%	100%	100%		100%
<b>9</b>	<b>Sub-Total</b>	<b>17</b>	<b>11</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>42</b>	<b>17</b>	<b>11</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>42</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>		<b>100%</b>
8	Manslaughter	10	7	11	8	0	36	10	7	11	8	0	36	100%	100%	100%	100%		100%
8	Armed Assault In Dwell House	4	1	0	0	0	5	4	1	0	0	0	5	100%	100%				100%
8	Rape, Aggravated	6	5	3	3	1	18	6	5	3	3	1	18	100%	100%	100%	100%	100%	100%
8	Rape Of Child w/Force	13	5	4	1	0	23	11	4	4	1	0	20	85%	80%	100%	100%		87%
8	Firearmed Assault w/i Murder	2	1	3	0	0	6	2	1	3	0	0	6	100%	100%	100%			100%
8	Home Invasion	2	3	1	1	0	7	1	3	1	0	0	5	50%	100%	100%	0%		71%
8	Burglary, Armed	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
8	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
8	Traffic Cocaine 200+	9	1	1	1	0	12	9	1	1	1	0	12	100%	100%	100%	100%		100%
<b>8</b>	<b>Sub-Total</b>	<b>48</b>	<b>23</b>	<b>23</b>	<b>16</b>	<b>1</b>	<b>111</b>	<b>45</b>	<b>22</b>	<b>23</b>	<b>15</b>	<b>1</b>	<b>106</b>	<b>94%</b>	<b>96%</b>	<b>100%</b>	<b>94%</b>	<b>100%</b>	<b>95%</b>
7	Murder, Attempted	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Mayhem	5	5	6	6	0	22	5	4	6	6	0	21	100%	80%	100%	100%		95%
7	A&B Child w/Injury Substantial	2	2	0	0	0	4	1	1	0	0	0	2	50%	50%				50%
7	Rape	14	8	5	4	0	31	14	7	3	4	0	28	100%	88%	60%	100%		90%
7	Rape of Child 2nd	0	0	1	2	1	4	0	0	1	2	1	4			100%	100%	100%	100%
7	Assault w/I Rape 2nd	0	0	0	0	2	2	0	0	0	0	2	2					100%	100%
7	Assault w/i Rape Child	1	1	1	2	0	5	1	1	1	0	0	3	100%	100%	100%	0%		60%
7	Incest	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
7	Drug for Sexual Intercourse	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
7	Armed Robbery Gun	18	11	8	15	0	52	13	11	7	15	0	46	72%	100%	88%	100%		88%
7	Armed Assault w/i Murder	22	19	16	12	0	69	17	18	15	11	0	61	77%	95%	94%	92%		88%
7	Carjacking, Armed	3	1	0	2	0	6	2	1	0	2	0	5	67%	100%		100%		83%
7	Confine And Put In Fear	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Traffic Heroin 028-100	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
7	Traffic Heroin 100-200	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
7	Traffic Cocaine 100-200	16	2	4	0	0	22	16	2	4	0	0	22	100%	100%	100%			100%
<b>7</b>	<b>Sub-Total</b>	<b>88</b>	<b>53</b>	<b>42</b>	<b>43</b>	<b>3</b>	<b>229</b>	<b>75</b>	<b>48</b>	<b>38</b>	<b>40</b>	<b>3</b>	<b>204</b>	<b>85%</b>	<b>91%</b>	<b>90%</b>	<b>93%</b>	<b>100%</b>	<b>89%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	7	1	1	0	0	9	5	1	1	0	0	7	71%	100%	100%			78%
6	A&B Dangerous Weapon	20	13	23	25	1	82	20	13	23	25	1	82	100%	100%	100%	100%	100%	100%
6	Assault To Kill or Maim	5	3	1	1	0	10	3	3	1	1	0	8	60%	100%	100%	100%		80%
6	Rape Of Child	79	27	12	8	0	126	57	22	10	7	0	96	72%	81%	83%	88%		76%
6	Assault w/i Rape	2	3	1	1	0	7	1	2	1	1	0	5	50%	67%	100%	100%		71%
6	Indecent A&B On Child 2nd	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
6	Child Pornography	4	0	1	0	0	5	1	0	1	0	0	2	25%		100%			40%
6	Robbery Unarmed + 60	3	4	3	5	0	15	1	4	3	5	0	13	33%	100%	100%	100%		87%
6	Armed Robbery	47	35	35	39	1	157	31	28	33	38	1	131	66%	80%	94%	97%	100%	83%
6	Armed Assault w/i Rob	9	2	1	5	0	17	7	2	1	5	0	15	78%	100%	100%	100%		88%
6	Armed Aslt w/i Rob Over 65	1	0	3	2	0	6	1	0	3	2	0	6	100%		100%	100%		100%
6	Carjacking	3	3	4	4	0	14	0	2	4	4	0	10	0%	67%	100%	100%		71%
6	Kidnapping	3	3	2	4	0	12	3	3	2	4	0	12	100%	100%	100%	100%		100%
6	Violation Of Civil Rights, Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
6	Burning Dwelling House	11	6	1	1	0	19	7	4	1	0	0	12	64%	67%	100%	0%		63%
6	Distribute Class A 2nd	0	1	4	6	0	11	0	1	4	6	0	11		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	1	5	0	0	6	0	1	5	0	0	6		100%	100%			100%
6	Traffic Heroin 014-028	3	2	0	0	0	5	3	2	0	0	0	5	100%	100%				100%
6	Traffic Cocaine 028-100	42	14	13	1	0	70	42	14	13	1	0	70	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	6	4	1	1	0	12	6	4	1	1	0	12	100%	100%	100%	100%		100%
6	Possess Explosive Device	1	1	1	1	0	4	1	1	1	0	0	3	100%	100%	100%	0%		75%
6	<b>Sub-Total</b>	<b>248</b>	<b>123</b>	<b>114</b>	<b>106</b>	<b>2</b>	<b>593</b>	<b>191</b>	<b>107</b>	<b>110</b>	<b>101</b>	<b>2</b>	<b>511</b>	<b>77%</b>	<b>87%</b>	<b>96%</b>	<b>95%</b>	<b>100%</b>	<b>86%</b>
5	A&B Child w/Injury	28	15	8	7	0	58	4	7	4	5	0	20	14%	47%	50%	71%		34%
5	Indecent A&B On Child	114	37	24	15	0	190	69	29	17	10	0	125	61%	78%	71%	67%		66%
5	Robbery Unarmed	22	9	19	33	0	83	6	8	17	30	0	61	27%	89%	89%	91%		73%
5	Intimidation	90	132	113	76	0	411	27	59	65	58	0	209	30%	45%	58%	76%		51%
5	Stalking Violation of Rest. Order	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
5	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
5	Common & Notorious Thief	3	2	1	0	0	6	3	2	1	0	0	6	100%	100%	100%			100%
5	Burglary	6	5	5	8	0	24	3	3	4	8	0	18	50%	60%	80%	100%		75%
5	Gaming Enterprise	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	19	15	14	1	49	0	19	15	14	1	49		100%	100%	100%	100%	100%
5	Traffic Cocaine 014-028	32	29	12	11	0	84	32	29	12	11	0	84	100%	100%	100%	100%		100%
5	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	8	1	0	1	0	10	1	0	0	1	0	2	13%	0%		100%		20%
5	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	<b>Sub-Total</b>	<b>307</b>	<b>249</b>	<b>200</b>	<b>172</b>	<b>1</b>	<b>929</b>	<b>145</b>	<b>156</b>	<b>138</b>	<b>144</b>	<b>1</b>	<b>584</b>	<b>47%</b>	<b>63%</b>	<b>69%</b>	<b>84%</b>	<b>100%</b>	<b>63%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	14	8	7	2	0	31	7	3	5	2	0	17	50%	38%	71%	100%		55%
4	A&B Guard	0	2	1	5	1	9	0	2	1	5	1	9		100%	100%	100%	100%	100%
4	A&B Dangerous Weapon	75	68	65	78	0	286	75	68	65	78	0	286	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	1	1	1	0	3	0	0	1	1	0	2		0%	100%	100%		67%
4	Indecent A&B	81	38	22	12	0	153	32	21	19	9	0	81	40%	55%	86%	75%		53%
4	Assault w/i Rob	3	4	4	4	0	15	3	4	4	3	0	14	100%	100%	100%	75%		93%
4	Kidnapping	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Stalking	20	9	9	8	0	46	6	3	5	6	0	20	30%	33%	56%	75%		43%
4	Larceny More	0	4	3	4	0	11	0	4	3	4	0	11		100%	100%	100%		100%
4	Larceny More + 60	0	1	2	0	0	3	0	1	2	0	0	3		100%	100%			100%
4	Larceny Person	124	117	90	88	1	420	37	77	58	62	0	234	30%	66%	64%	70%	0%	56%
4	Larceny Person + 65	2	3	2	4	0	11	0	2	2	0	0	4	0%	67%	100%	0%		36%
4	Larceny MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
4	B&E	3	5	12	50	2	72	3	5	12	50	2	72	100%	100%	100%	100%	100%	100%
4	Receiving Stolen Goods Over	0	0	1	3	0	4	0	0	1	3	0	4			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	2	9	0	11	0	0	2	9	0	11			100%	100%		100%
4	Burning Building	11	4	3	0	0	18	5	3	3	0	0	11	45%	75%	100%			61%
4	Burning to Defraud	5	1	2	1	0	9	0	0	0	1	0	1	0%	0%	0%	100%		11%
4	Distribute Class A	333	273	230	182	0	1018	142	172	163	136	0	613	43%	63%	71%	75%		60%
4	Distribute Class B	634	373	218	150	1	1376	232	212	131	108	1	684	37%	57%	60%	72%	100%	50%
4	Distribute Cocaine	74	46	43	16	0	179	74	46	43	16	0	179	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	3	0	0	0	5	2	3	0	0	0	5	100%	100%				100%
4	Larceny Cont Sub	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Giving Prisoner Cont Sub	9	6	5	3	0	23	3	3	5	2	0	13	33%	50%	100%	67%		57%
4	Control Substance School	69	71	85	32	2	259	69	71	85	32	2	259	100%	100%	100%	100%	100%	100%
4	MV Homicide - Reckless	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	MV Homicide - OUI	5	1	0	0	0	6	4	1	0	0	0	5	80%	100%				83%
4	Leaving Scene Death	5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%
4	OUI Serious Inj, Fel	7	4	3	1	0	15	7	4	3	1	0	15	100%	100%	100%	100%		100%
4	Assault Weapon, Possess	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
4	Escape	5	22	28	29	0	84	4	20	22	25	0	71	80%	91%	79%	86%		85%
4	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Bribery	5	2	0	2	0	9	1	0	0	1	0	2	20%	0%		50%		22%
4	Extortion	3	0	0	3	0	6	2	0	0	2	0	4	67%			67%		67%
4	Bomb Hoax	0	1	1	1	0	3	0	0	1	0	0	1		0%	100%	0%		33%
4	Tax Law Violation	8	3	0	0	0	11	0	0	0	0	0	0	0%	0%				0%
4	<b>Sub-Total</b>	<b>1502</b>	<b>1074</b>	<b>840</b>	<b>692</b>	<b>7</b>	<b>4115</b>	<b>714</b>	<b>729</b>	<b>637</b>	<b>560</b>	<b>6</b>	<b>2646</b>	<b>48%</b>	<b>68%</b>	<b>76%</b>	<b>81%</b>	<b>86%</b>	<b>64%</b>



**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	2118	1872	1296	873	3	6162	394	652	661	548	3	2258	19%	35%	51%	63%	100%	37%
3	A&B Domestic	291	241	160	85	0	777	37	76	74	42	0	229	13%	32%	46%	49%		29%
3	A&B Dangerous Weapon	625	453	271	157	1	1507	146	185	116	86	1	534	23%	41%	43%	55%	100%	35%
3	A&B Dangerous Weapon + 60	4	2	1	2	0	9	0	1	1	2	0	4	0%	50%	100%	100%		44%
3	Assault Dangerous Weapon	304	243	186	142	0	875	88	103	98	94	0	383	29%	42%	53%	66%		44%
3	Assault Dangerous Weapon + 60	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
3	Unnatural Acts	2	6	7	0	0	15	0	1	3	0	0	4	0%	17%	43%			27%
3	Child Pornography Possess	9	1	0	0	0	10	1	1	0	0	0	2	11%	100%				20%
3	Kidnapping	8	2	2	2	0	14	1	0	1	1	0	3	13%	0%	50%	50%		21%
3	Violation Of Civil Rights	2	4	2	1	0	9	1	0	1	0	0	2	50%	0%	50%	0%		22%
3	Abuse Patient Lg Trm Care FacI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Restraining Order Violation	362	520	425	310	2	1619	76	157	204	174	1	612	21%	30%	48%	56%	50%	38%
3	Larceny	17	23	24	20	1	85	17	23	24	20	1	85	100%	100%	100%	100%	100%	100%
3	Larceny More	770	621	408	420	3	2222	119	172	176	239	1	707	15%	28%	43%	57%	33%	32%
3	Larceny More + 60	4	1	1	3	0	9	1	0	1	3	0	5	25%	0%	100%	100%		56%
3	Larceny Building	50	50	35	37	0	172	19	20	22	27	0	88	38%	40%	63%	73%		51%
3	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Larceny Firearm	4	4	1	0	0	9	1	4	0	0	0	5	25%	100%	0%			56%
3	Larceny MV	109	77	62	65	0	313	43	55	45	55	0	198	39%	71%	73%	85%		63%
3	Embezzlement	7	1	0	0	0	8	4	0	0	0	0	4	57%	0%				50%
3	Credit Card Misuse - More	6	6	11	13	0	36	1	3	9	13	0	26	17%	50%	82%	100%		72%
3	Fraud	11	5	3	1	0	20	2	0	1	0	0	3	18%	0%	33%	0%		15%
3	MV - Sales Violation	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
3	Possess Burglarious Tools	67	38	39	44	0	188	20	19	24	31	0	94	30%	50%	62%	70%		50%
3	B&E	502	452	310	320	1	1585	158	254	223	234	1	870	31%	56%	72%	73%	100%	55%
3	Mal Dest Property More	148	108	74	66	0	396	17	35	32	36	0	120	11%	32%	43%	55%		30%
3	Receiving Stolen Goods Over	80	46	32	39	0	197	18	24	22	27	0	91	23%	52%	69%	69%		46%
3	Receiving Stolen Goods MV	180	141	90	125	0	536	47	70	62	94	0	273	26%	50%	69%	75%		51%
3	Receiving Stolen Goods 2nd	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
3	Forgery And Uttering	158	169	104	123	0	554	31	46	43	65	0	185	20%	27%	41%	53%		33%
3	Counterfeit	6	3	2	0	0	11	1	0	1	0	0	2	17%	0%	50%			18%
3	Burning Property	12	9	3	3	0	27	3	3	2	0	0	8	25%	33%	67%	0%		30%
3	Burning Motor Vehicle	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
3	Illegal Lottery	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
3	Gaming Register Bets	5	1	0	0	0	6	1	0	0	0	0	1	20%	0%				17%
3	Possession Class A 2nd	9	14	13	14	0	50	3	6	10	6	0	25	33%	43%	77%	43%		50%
3	Possession Class A Heroin 2nd	4	10	14	12	0	40	2	4	5	5	0	16	50%	40%	36%	42%		40%
3	Possession Class B 2nd	16	17	14	24	0	71	7	7	8	13	0	35	44%	41%	57%	54%		49%
3	Possession Class C 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
3	Possession Class D 2nd	33	42	7	4	0	86	3	13	3	1	0	20	9%	31%	43%	25%		23%
3	Distribute Class C	10	10	11	9	0	40	3	5	2	4	0	14	30%	50%	18%	44%		35%
3	Distribute Class D 2nd	5	10	11	4	0	30	3	6	10	4	0	23	60%	60%	91%	100%		77%
3	Distribute Class E 2nd	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
3	Possession Hypodermic 2nd	0	2	3	1	0	6	0	2	2	1	0	5		100%	67%	100%		83%
3	MV Homicide	24	3	2	1	0	30	6	2	0	0	0	8	25%	67%	0%	0%		27%

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	491	307	138	109	0	1045	34	69	62	51	0	216	7%	22%	45%	47%		21%
3	Leaving Scene Personal Injury	143	48	32	26	0	249	15	11	14	15	0	55	10%	23%	44%	58%		22%
3	OUI Serious Inj, Misd	17	6	0	1	0	24	4	3	0	1	0	8	24%	50%		100%		33%
3	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Polygamy	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Body Armor, Use in Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Gun Serial Number	9	3	2	0	0	14	4	3	1	0	0	8	44%	100%	50%			57%
3	Firearm Loaded while OUI	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
3	Nonsupport	16	8	3	2	0	29	5	5	1	2	0	13	31%	63%	33%	100%		45%
3	Interfere Police or Firefighter	2	1	4	3	0	10	0	0	1	1	0	2	0%	0%	25%	33%		20%
3	Failure to Appear Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Carrying Dangerous Weapon	83	69	44	23	0	219	22	31	24	10	0	87	27%	45%	55%	43%		40%
3	Contempt Of Court	1	1	1	2	0	5	0	0	1	0	0	1	0%	0%	100%	0%		20%
3	Animal Kill or Poison	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
3	Throw Object On Public Way	4	5	1	1	0	11	0	1	0	0	0	1	0%	20%	0%	0%		9%
3	Sex Offender Fail Register	0	0	2	0	0	2	0	0	1	0	0	1			50%			50%
3	Vandalize - Graves	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	<b>Sub-Total</b>	<b>6756</b>	<b>5662</b>	<b>3855</b>	<b>3092</b>	<b>11</b>	<b>19376</b>	<b>1366</b>	<b>2073</b>	<b>1993</b>	<b>1910</b>	<b>8</b>	<b>7350</b>	<b>20%</b>	<b>37%</b>	<b>52%</b>	<b>62%</b>	<b>73%</b>	<b>38%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	64	56	41	28	0	189	8	19	10	22	0	59	13%	34%	24%	79%		31%
2	Accost / Annoy Person Opposite Sex	2	2	3	1	0	8	0	0	3	0	0	3	0%	0%	100%	0%		38%
2	Larceny	177	141	68	38	0	424	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Larceny Less	244	192	125	114	0	675	28	48	37	44	0	157	11%	25%	30%	39%		23%
2	Shoplifting	740	636	395	404	3	2178	33	112	77	121	2	345	4%	18%	19%	30%	67%	16%
2	Credit Card Misuse	45	27	28	17	0	117	3	10	13	4	0	30	7%	37%	46%	24%		26%
2	Defrauding Insurer	14	3	2	1	0	20	2	1	1	0	0	4	14%	33%	50%	0%		20%
2	MV - False Report Of Theft	9	2	1	1	0	13	1	0	0	0	0	1	11%	0%	0%	0%		8%
2	Fraud - Identity	13	7	7	1	0	28	2	1	4	1	0	8	15%	14%	57%	100%		29%
2	Defrauding Innkeeper	3	2	2	0	0	7	1	1	1	0	0	3	33%	50%	50%			43%
2	Welfare Violation	22	8	2	2	0	34	1	2	0	0	0	3	5%	25%	0%	0%		9%
2	Conveying Mortgaged Property	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Concealing Stolen Property	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
2	Failure To Return Leased Prop	22	18	11	3	0	54	2	2	2	1	0	7	9%	11%	18%	33%		13%
2	B&E MV	4	3	0	2	0	9	0	3	0	0	0	3	0%	100%		0%		33%
2	B&E w/i Misdemeanor	52	54	41	19	0	166	7	16	20	12	0	55	13%	30%	49%	63%		33%
2	Property Destruction	258	234	137	92	0	721	39	43	49	42	0	173	15%	18%	36%	46%		24%
2	Tagging Property	25	3	2	1	0	31	5	0	2	0	0	7	20%	0%	100%	0%		23%
2	Receiving Stolen Goods	204	173	130	137	0	644	39	66	67	84	0	256	19%	38%	52%	61%		40%
2	Setting Fire In Open	5	1	2	1	0	9	2	1	2	1	0	6	40%	100%	100%	100%		67%
2	Lottery Ticket Altering	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	Gaming Use of Telephone	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%
2	Fraud - Electric, Phone or Cable	4	1	2	3	0	10	1	0	1	0	0	2	25%	0%	50%	0%		20%
2	Possession Class A	109	142	95	92	1	439	31	35	36	46	0	148	28%	25%	38%	50%	0%	34%
2	Possession Class A Heroin	191	225	159	146	1	722	44	82	66	72	0	264	23%	36%	42%	49%	0%	37%
2	Possession Class B	529	478	314	197	5	1523	78	135	101	74	1	389	15%	28%	32%	38%	20%	26%
2	Possession Class C	15	19	9	8	0	51	7	6	3	5	0	21	47%	32%	33%	63%		41%
2	Possession Class D	420	235	134	72	2	863	45	52	42	21	1	161	11%	22%	31%	29%	50%	19%
2	Possession Class D Marijuana 2nd	46	45	20	7	0	118	9	15	12	2	0	38	20%	33%	60%	29%		32%
2	Distribute Counterfeit Substance	11	11	13	20	0	55	4	8	8	15	0	35	36%	73%	62%	75%		64%
2	Distribute Class D	375	180	67	36	0	658	87	67	32	21	0	207	23%	37%	48%	58%		31%
2	Distribute Class E	6	4	0	5	0	15	0	1	0	4	0	5	0%	25%		80%		33%
2	Possession Hypodermic/Syringe	96	133	90	96	0	415	29	52	40	47	0	168	30%	39%	44%	49%		40%
2	Presence Class A	24	25	20	25	0	94	4	7	11	9	0	31	17%	28%	55%	36%		33%
2	Forge Prescription	42	26	20	9	0	97	5	5	8	4	0	22	12%	19%	40%	44%		23%
2	Distribute Paraphenalia	7	3	0	1	0	11	1	0	0	1	0	2	14%	0%		100%		18%
2	Operate to Endanger	1012	406	185	115	0	1718	75	73	56	43	0	247	7%	18%	30%	37%		14%
2	Use Without Authority	68	59	32	26	0	185	12	24	20	15	0	71	18%	41%	63%	58%		38%
2	Use w/o Authority 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Habitual Traffic Offender	30	60	34	17	0	141	15	30	16	9	0	70	50%	50%	47%	53%		50%
2	Racing	8	1	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
2	Operate After Suspension 2nd	432	628	354	289	2	1705	114	304	185	186	2	791	26%	48%	52%	64%	100%	46%
2	Compulsory Insurance Violation	851	456	248	160	2	1717	55	62	45	52	2	216	6%	14%	18%	33%	100%	13%
2	Altering MV ID Number	4	0	1	1	0	6	0	0	0	0	0	0	0%		0%	0%		0%

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	57	43	23	21	0	144	9	9	4	9	0	31	16%	21%	17%	43%		22%
2	False Statement On Application	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
2	Prostitution	118	143	67	44	0	372	30	55	18	18	0	121	25%	38%	27%	41%		33%
2	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Open And Gross	65	34	20	15	0	134	15	19	9	9	0	52	23%	56%	45%	60%		39%
2	Obscene Material to Minor	3	2	0	1	0	6	1	1	0	1	0	3	33%	50%		100%		50%
2	Failure To Disperse	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Firearm Possess w/o Permit	146	57	23	12	0	238	75	36	15	8	0	134	51%	63%	65%	67%		56%
2	Possess Mace	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
2	Possess Ammunition	8	4	3	0	0	15	3	1	2	0	0	6	38%	25%	67%			40%
2	Firearm Store Improper	7	2	0	0	0	9	0	1	0	0	0	1	0%	50%				11%
2	Escape Work Release Program	0	1	1	3	0	5	0	1	1	2	0	4		100%	100%	67%		80%
2	Escape Lockup	1	1	11	4	0	17	0	1	10	4	0	15	0%	100%	91%	100%		88%
2	Aiding An Escape	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
2	Impersonate/Disguise	14	13	6	2	0	35	1	6	2	1	0	10	7%	46%	33%	50%		29%
2	False Statement	14	3	3	2	0	22	1	0	0	0	0	1	7%	0%	0%	0%		5%
2	Failure to Appear	18	20	11	6	0	55	1	7	3	1	0	12	6%	35%	27%	17%		22%
2	Possess Stun Gun	6	3	0	0	0	9	0	0	0	0	0	0	0%	0%				0%
2	Possess Dangerous Weapon	6	3	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
2	False Alarm	6	6	5	3	0	20	0	1	3	1	0	5	0%	17%	60%	33%		25%
2	Fireworks	9	5	2	3	0	19	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Violation Of Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Disrupt Court Proceedings	1	4	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Contributing To Delinquency	24	7	8	2	0	41	5	1	5	1	0	12	21%	14%	63%	50%		29%
2	Cruelty To Animals	14	11	6	2	0	33	3	1	4	1	0	9	21%	9%	67%	50%		27%
2	Mistreat Police Animal	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
2	Work Compensation Fail Have	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Resisting Arrest	299	251	174	96	1	821	48	67	65	43	1	224	16%	27%	37%	45%	100%	27%
2	False Report Of Crime	27	13	4	2	0	46	2	1	1	0	0	4	7%	8%	25%	0%		9%
2	Disconnect Sprinkler System	0	1	2	1	0	4	0	1	2	1	0	4		100%	100%	100%		100%
2	Firearms - False Statement	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
2	Record w/o Manufacturer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Nuisance, Aid or Permit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Unregistered Contractor	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
2	True Name Law	52	35	26	14	0	127	9	13	10	6	0	38	17%	37%	38%	43%		30%
2	<b>Sub-Total</b>	<b>7095</b>	<b>5376</b>	<b>3195</b>	<b>2424</b>	<b>17</b>	<b>18107</b>	<b>994</b>	<b>1510</b>	<b>1126</b>	<b>1064</b>	<b>9</b>	<b>4703</b>	<b>14%</b>	<b>28%</b>	<b>35%</b>	<b>44%</b>	<b>53%</b>	<b>26%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
1	Threatening	129	118	95	83	2	427	23	39	39	36	2	139	18%	33%	41%	43%	100%	33%
1	Defrauding Victualer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Vandalism	16	10	2	4	0	32	3	1	1	0	0	5	19%	10%	50%	0%		16%
1	Trespassing	312	258	206	171	2	949	20	46	39	52	1	158	6%	18%	19%	30%	50%	17%
1	Gaming	11	3	1	0	0	15	0	0	0	0	0	0	0%	0%	0%			0%
1	Possession Class D Marijuana	521	268	146	57	2	994	38	53	37	13	1	142	7%	20%	25%	23%	50%	14%
1	Possession Class E	11	14	13	12	0	50	2	3	5	8	0	18	18%	21%	38%	67%		36%
1	Inhaling Toxic Vapors	4	1	0	1	0	6	0	1	0	0	0	1	0%	100%		0%		17%
1	Attaching Wrong MV Plates	220	112	50	25	0	407	2	2	5	1	0	10	1%	2%	10%	4%		2%
1	Operate After Suspension	2293	1769	898	565	1	5526	123	229	135	96	0	583	5%	13%	15%	17%	0%	11%
1	MV - Impersonate/Other License	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	RV On Public Way	16	5	4	2	0	27	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Common Night Walker	41	46	15	9	0	111	17	22	10	4	0	53	41%	48%	67%	44%		48%
1	Indecent Exposure	28	17	11	18	0	74	3	6	1	5	0	15	11%	35%	9%	28%		20%
1	Lewd And Lacivious	17	17	5	6	0	45	2	7	3	3	0	15	12%	41%	60%	50%		33%
1	Peeping Tom	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	Disorderly Conduct	1026	697	431	306	1	2461	64	74	64	84	0	286	6%	11%	15%	27%	0%	12%
1	Firearm Discharge	5	1	1	0	0	7	1	0	0	0	0	1	20%	0%	0%			14%
1	Annoying Phone Calls	37	34	13	10	0	94	0	6	3	3	0	12	0%	18%	23%	30%		13%
1	Failure To Obey Police Officer	52	14	18	8	0	92	2	1	0	0	0	3	4%	7%	0%	0%		3%
1	Obstructing Justice	3	2	0	2	0	7	2	0	0	0	0	2	67%	0%		0%		29%
1	Alcohol, Procure for Minor	45	26	13	6	0	90	3	4	3	0	0	10	7%	15%	23%	0%		11%
1	Alcohol, Transporting	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
1	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Cigarette/Match Thrown Fr Veh	5	1	1	0	0	7	0	0	0	0	0	0	0%	0%	0%			0%
1	Tattooing	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
1	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Employment Practices	18	9	1	0	0	28	1	1	0	0	0	2	6%	11%	0%			7%
1	Health Code Violation	8	2	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
1	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	5	2	3	1	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Remove Token from Grave	2	2	0	0	0	4	0	2	0	0	0	2	0%	100%				50%
1	<b>Sub-Total</b>	<b>4836</b>	<b>3434</b>	<b>1928</b>	<b>1288</b>	<b>8</b>	<b>11494</b>	<b>306</b>	<b>498</b>	<b>345</b>	<b>305</b>	<b>4</b>	<b>1458</b>	<b>6%</b>	<b>15%</b>	<b>18%</b>	<b>24%</b>	<b>50%</b>	<b>13%</b>

**Table 48 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	10	10	1	4	0	25	1	0	0	2	0	3	10%	0%	0%	50%		12%
0	Attempt B&E	8	9	4	11	0	32	0	4	3	8	0	15	0%	44%	75%	73%		47%
0	Conspiracy Violate CSA	40	30	15	13	0	98	11	9	7	5	0	32	28%	30%	47%	38%		33%
0	Solicit Felony	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
0	Conspiracy	35	12	9	7	0	63	9	2	7	3	0	21	26%	17%	78%	43%		33%
0	Attempt To Commit Crime	22	21	25	19	0	87	6	9	10	11	0	36	27%	43%	40%	58%		41%
0	Accessory Before	5	4	3	0	0	12	2	2	2	0	0	6	40%	50%	67%			50%
0	Accessory After	10	1	0	3	0	14	3	1	0	2	0	6	30%	100%		67%		43%
0	Other Crime	1	0	2	0	0	3	1	0	0	0	0	1	100%		0%			33%
0	<b>Sub-Total</b>	<b>132</b>	<b>87</b>	<b>60</b>	<b>57</b>	<b>0</b>	<b>336</b>	<b>34</b>	<b>27</b>	<b>30</b>	<b>31</b>	<b>0</b>	<b>122</b>	<b>26%</b>	<b>31%</b>	<b>50%</b>	<b>54%</b>		<b>36%</b>

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	0	0	0	0	0	0						
<b>9</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>						
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0						
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0						
8	Rape, Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
8	Rape Of Child w/Force	0	0	0	0	0	0	0	0	0	0	0	0						
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0						
8	Home Invasion	0	0	0	0	0	0	0	0	0	0	0	0						
8	Burglary, Armed	0	0	0	0	0	0	0	0	0	0	0	0						
8	Traffic Heroin 200+	0	0	0	0	0	0	0	0	0	0	0	0						
8	Traffic Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0						
<b>8</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>						
7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0						
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0						
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape of Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
7	Assault w/I Rape 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
7	Assault w/i Rape Child	0	0	0	0	0	0	0	0	0	0	0	0						
7	Incest	0	0	0	0	0	0	0	0	0	0	0	0						
7	Drug for Sexual Intercourse	0	0	0	0	0	0	0	0	0	0	0	0						
7	Armed Robbery Gun	0	0	0	0	0	0	0	0	0	0	0	0						
7	Armed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0						
7	Carjacking, Armed	0	0	0	0	0	0	0	0	0	0	0	0						
7	Confine And Put In Fear	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Heroin 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Heroin 100-200	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Cocaine 100-200	0	0	0	0	0	0	0	0	0	0	0	0						
<b>7</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>						

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0						
6	A&B Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
6	Assault To Kill or Maim	0	0	0	0	0	0	0	0	0	0	0	0						
6	Rape Of Child	0	0	0	0	0	0	0	0	0	0	0	0						
6	Assault w/i Rape	0	0	0	0	0	0	0	0	0	0	0	0						
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0						
6	Robbery Unarmed + 60	0	0	0	0	0	0	0	0	0	0	0	0						
6	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0						
6	Armed Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
6	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	0	0	0	0	0	0						
6	Carjacking	1	1	3	1	0	6	0	1	3	1	0	5	0%	100%	100%	100%		83%
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	0	0	0	0	0	0						
6	Burning Dwelling House	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Cocaine 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Heroin 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Cocaine 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
6	MV Homicide - OUI Felony	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
6	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
6	<b>Sub-Total</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>67%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>		<b>88%</b>
5	A&B Child w/Injury	15	11	5	3	0	34	2	3	2	3	0	10	13%	27%	40%	100%		29%
5	Indecent A&B On Child	74	27	18	10	0	129	37	22	12	6	0	77	50%	81%	67%	60%		60%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	83	130	110	67	0	390	23	57	62	50	0	192	28%	44%	56%	75%		49%
5	Stalking Violation of Rest. Order	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
5	Stalking 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Common & Notorious Thief	0	0	0	0	0	0	0	0	0	0	0	0						
5	Burglary	0	0	0	0	0	0	0	0	0	0	0	0						
5	Gaming Enterprise	0	0	0	0	0	0	0	0	0	0	0	0						
5	Distribute Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Traffic Cocaine 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
5	Inducing Minor To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
5	Perjury or Suborn	0	0	0	0	0	0	0	0	0	0	0	0						
5	Possess Molotov Cocktail	0	0	0	0	0	0	0	0	0	0	0	0						
5	<b>Sub-Total</b>	<b>172</b>	<b>168</b>	<b>134</b>	<b>82</b>	<b>0</b>	<b>556</b>	<b>62</b>	<b>82</b>	<b>77</b>	<b>61</b>	<b>0</b>	<b>282</b>	<b>36%</b>	<b>49%</b>	<b>57%</b>	<b>74%</b>		<b>51%</b>



**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	12	8	7	1	0	28	5	3	5	1	0	14	42%	38%	71%	100%		50%
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	25	41	55	65	0	186	25	41	55	65	0	186	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	1	1	1	0	3	0	0	1	1	0	2		0%	100%	100%		67%
4	Indecent A&B	53	29	16	9	0	107	15	15	13	6	0	49	28%	52%	81%	67%		46%
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Kidnapping	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Stalking	18	9	9	7	0	43	4	3	5	5	0	17	22%	33%	56%	71%		40%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny More + 60	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	118	103	86	80	1	388	33	64	54	54	0	205	28%	62%	63%	68%	0%	53%
4	Larceny Person + 65	2	3	2	3	0	10	0	2	2	0	0	4	0%	67%	100%	0%		40%
4	Larceny MV 2nd	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods MV 2nd	0	0	1	4	0	5	0	0	1	4	0	5			100%	100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	5	1	2	1	0	9	0	0	0	1	0	1	0%	0%	0%	100%		11%
4	Distribute Class A	285	232	181	155	0	853	114	142	116	110	0	482	40%	61%	64%	71%		57%
4	Distribute Class B	522	314	185	114	1	1136	179	175	108	76	1	539	34%	56%	58%	67%	100%	47%
4	Distribute Cocaine	0	0	0	0	0	0	0	0	0	0	0	0						
4	Traffic Mar 50-100	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0						
4	Giving Prisoner Cont Sub	7	5	5	3	0	20	1	2	5	2	0	10	14%	40%	100%	67%		50%
4	Control Substance School	39	42	44	23	2	150	39	42	44	23	2	150	100%	100%	100%	100%	100%	100%
4	MV Homicide - Reckless	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	MV Homicide - OUI	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	3	1	3	1	0	8	3	1	3	1	0	8	100%	100%	100%	100%		100%
4	Assault Weapon, Possess	0	0	0	0	0	0	0	0	0	0	0	0						
4	Escape	5	22	25	27	0	79	4	20	19	23	0	66	80%	91%	76%	85%		84%
4	Injure Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
4	Bribery	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
4	Extortion	2	0	0	2	0	4	2	0	0	1	0	3	100%			50%		75%
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	<b>Sub-Total</b>	<b>1103</b>	<b>814</b>	<b>622</b>	<b>499</b>	<b>4</b>	<b>3042</b>	<b>426</b>	<b>512</b>	<b>431</b>	<b>376</b>	<b>3</b>	<b>1748</b>	<b>39%</b>	<b>63%</b>	<b>69%</b>	<b>75%</b>	<b>75%</b>	<b>57%</b>

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	2068	1844	1270	847	3	6032	367	633	640	526	3	2169	18%	34%	50%	62%	100%	36%
3	A&B Domestic	291	241	160	85	0	777	37	76	74	42	0	229	13%	32%	46%	49%		29%
3	A&B Dangerous Weapon	599	445	264	153	1	1462	146	185	116	86	1	534	24%	42%	44%	56%	100%	37%
3	A&B Dangerous Weapon + 60	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
3	Assault Dangerous Weapon	285	228	175	137	0	825	74	94	89	89	0	346	26%	41%	51%	65%		42%
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Unnatural Acts	2	6	7	0	0	15	0	1	3	0	0	4	0%	17%	43%			27%
3	Child Pornography Possess	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
3	Kidnapping	4	2	2	1	0	9	1	0	1	1	0	3	25%	0%	50%	100%		33%
3	Violation Of Civil Rights	2	4	1	1	0	8	1	0	1	0	0	2	50%	0%	100%	0%		25%
3	Abuse Patient Lg Trm Care FacI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Restraining Order Violation	355	519	425	306	2	1607	72	157	204	170	1	604	20%	30%	48%	56%	50%	38%
3	Larceny	17	23	24	20	1	85	17	23	24	20	1	85	100%	100%	100%	100%	100%	100%
3	Larceny More	728	614	402	410	3	2157	110	170	171	233	1	685	15%	28%	43%	57%	33%	32%
3	Larceny More + 60	2	1	1	3	0	7	0	0	1	3	0	4	0%	0%	100%	100%		57%
3	Larceny Building	48	47	33	34	0	162	17	19	20	25	0	81	35%	40%	61%	74%		50%
3	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Larceny Firearm	4	4	1	0	0	9	1	4	0	0	0	5	25%	100%	0%			56%
3	Larceny MV	107	75	62	57	0	301	41	53	45	48	0	187	38%	71%	73%	84%		62%
3	Embezzlement	0	0	0	0	0	0	0	0	0	0	0	0						
3	Credit Card Misuse - More	6	6	11	11	0	34	1	3	9	11	0	24	17%	50%	82%	100%		71%
3	Fraud	6	4	3	1	0	14	1	0	1	0	0	2	17%	0%	33%	0%		14%
3	MV - Sales Violation	3	2	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
3	Possess Burglarious Tools	66	36	36	37	0	175	20	19	24	24	0	87	30%	53%	67%	65%		50%
3	B&E	487	437	293	287	0	1504	151	243	208	210	0	812	31%	56%	71%	73%		54%
3	Mal Dest Property More	148	108	72	63	0	391	17	35	30	34	0	116	11%	32%	42%	54%		30%
3	Receiving Stolen Goods Over	78	45	31	38	0	192	17	23	22	27	0	89	22%	51%	71%	71%		46%
3	Receiving Stolen Goods MV	176	139	84	109	0	508	47	69	58	78	0	252	27%	50%	69%	72%		50%
3	Receiving Stolen Goods 2nd	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
3	Forgery And Uttering	149	164	102	115	0	530	29	43	42	61	0	175	19%	26%	41%	53%		33%
3	Counterfeit	5	3	2	0	0	10	0	0	1	0	0	1	0%	0%	50%			10%
3	Burning Property	10	8	3	3	0	24	3	3	2	0	0	8	30%	38%	67%	0%		33%
3	Burning Motor Vehicle	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
3	Illegal Lottery	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
3	Gaming Register Bets	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class A 2nd	7	13	11	12	0	43	1	5	8	5	0	19	14%	38%	73%	42%		44%
3	Possession Class A Heroin 2nd	4	9	13	10	0	36	2	4	4	3	0	13	50%	44%	31%	30%		36%
3	Possession Class B 2nd	16	17	14	24	0	71	7	7	8	13	0	35	44%	41%	57%	54%		49%
3	Possession Class C 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
3	Possession Class D 2nd	33	42	7	4	0	86	3	13	3	1	0	20	9%	31%	43%	25%		23%
3	Distribute Class C	10	9	10	9	0	38	3	4	2	4	0	13	30%	44%	20%	44%		34%
3	Distribute Class D 2nd	5	9	10	3	0	27	3	5	9	3	0	20	60%	56%	90%	100%		74%
3	Distribute Class E 2nd	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
3	Possession Hypodermic 2nd	0	2	3	1	0	6	0	2	2	1	0	5		100%	67%	100%		83%
3	MV Homicide	18	2	2	0	0	22	4	1	0	0	0	5	22%	50%	0%			23%

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	490	307	138	109	0	1044	33	69	62	51	0	215	7%	22%	45%	47%		21%
3	Leaving Scene Personal Injury	143	47	31	25	0	246	15	11	14	14	0	54	10%	23%	45%	56%		22%
3	OUI Serious Inj, Misd	16	5	0	1	0	22	4	3	0	1	0	8	25%	60%		100%		36%
3	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Polygamy	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Body Armor, Use in Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gun Serial Number	6	2	2	0	0	10	3	2	1	0	0	6	50%	100%	50%			60%
3	Firearm Loaded while OUI	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
3	Nonsupport	15	7	3	2	0	27	5	5	1	2	0	13	33%	71%	33%	100%		48%
3	Interfere Police or Firefighter	2	1	4	3	0	10	0	0	1	1	0	2	0%	0%	25%	33%		20%
3	Failure to Appear Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Carrying Dangerous Weapon	83	68	44	23	0	218	22	31	24	10	0	87	27%	46%	55%	43%		40%
3	Contempt Of Court	1	0	1	2	0	4	0	0	1	0	0	1	0%		100%	0%		25%
3	Animal Kill or Poison	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
3	Throw Object On Public Way	4	5	1	1	0	11	0	1	0	0	0	1	0%	20%	0%	0%		9%
3	Sex Offender Fail Register	0	0	2	0	0	2	0	0	1	0	0	1			50%			50%
3	Vandalize - Graves	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	<b>Sub-Total</b>	<b>6532</b>	<b>5556</b>	<b>3763</b>	<b>2950</b>	<b>10</b>	<b>18811</b>	<b>1282</b>	<b>2017</b>	<b>1928</b>	<b>1800</b>	<b>7</b>	<b>7034</b>	<b>20%</b>	<b>36%</b>	<b>51%</b>	<b>61%</b>	<b>70%</b>	<b>37%</b>

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	63	56	41	27	0	187	7	19	10	21	0	57	11%	34%	24%	78%		30%
2	Accost / Annoy Person Opposite Sex	2	2	3	1	0	8	0	0	3	0	0	3	0%	0%	100%	0%		38%
2	Larceny	164	140	68	38	0	410	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Larceny Less	242	192	125	113	0	672	28	48	37	43	0	156	12%	25%	30%	38%		23%
2	Shoplifting	740	636	395	404	3	2178	33	112	77	121	2	345	4%	18%	19%	30%	67%	16%
2	Credit Card Misuse	45	27	28	17	0	117	3	10	13	4	0	30	7%	37%	46%	24%		26%
2	Defrauding Insurer	8	2	2	1	0	13	0	0	1	0	0	1	0%	0%	50%	0%		8%
2	MV - False Report Of Theft	5	2	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%
2	Fraud - Identity	13	7	7	1	0	28	2	1	4	1	0	8	15%	14%	57%	100%		29%
2	Defrauding Innkeeper	3	2	2	0	0	7	1	1	1	0	0	3	33%	50%	50%			43%
2	Welfare Violation	22	8	2	2	0	34	1	2	0	0	0	3	5%	25%	0%	0%		9%
2	Conveying Mortgaged Property	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Concealing Stolen Property	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
2	Failure To Return Leased Prop	22	18	11	3	0	54	2	2	2	1	0	7	9%	11%	18%	33%		13%
2	B&E MV	3	3	0	1	0	7	0	3	0	0	0	3	0%	100%		0%		43%
2	B&E w/i Misdemeanor	52	50	40	18	0	160	7	15	19	11	0	52	13%	30%	48%	61%		33%
2	Property Destruction	258	234	137	88	0	717	39	43	49	39	0	170	15%	18%	36%	44%		24%
2	Tagging Property	25	3	2	1	0	31	5	0	2	0	0	7	20%	0%	100%	0%		23%
2	Receiving Stolen Goods	198	173	127	134	0	632	39	66	64	81	0	250	20%	38%	50%	60%		40%
2	Setting Fire In Open	5	1	2	1	0	9	2	1	2	1	0	6	40%	100%	100%	100%		67%
2	Lottery Ticket Altering	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	Gaming Use of Telephone	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Fraud - Electric, Phone or Cable	2	1	2	3	0	8	1	0	1	0	0	2	50%	0%	50%	0%		25%
2	Possession Class A	107	140	94	92	1	434	31	35	36	46	0	148	29%	25%	38%	50%	0%	34%
2	Possession Class A Heroin	188	224	156	143	1	712	43	82	64	70	0	259	23%	37%	41%	49%	0%	36%
2	Possession Class B	512	470	308	194	4	1488	74	133	98	74	1	380	14%	28%	32%	38%	25%	26%
2	Possession Class C	15	19	9	8	0	51	7	6	3	5	0	21	47%	32%	33%	63%		41%
2	Possession Class D	415	234	133	70	2	854	45	51	41	20	1	158	11%	22%	31%	29%	50%	19%
2	Possession Class D Marijuana 2nd	46	45	20	7	0	118	9	15	12	2	0	38	20%	33%	60%	29%		32%
2	Distribute Counterfeit Substance	10	9	12	19	0	50	3	6	7	15	0	31	30%	67%	58%	79%		62%
2	Distribute Class D	353	174	66	36	0	629	76	63	32	21	0	192	22%	36%	48%	58%		31%
2	Distribute Class E	6	4	0	5	0	15	0	1	0	4	0	5	0%	25%		80%		33%
2	Possession Hypodermic/Syringe	96	133	89	96	0	414	29	52	40	47	0	168	30%	39%	45%	49%		41%
2	Presence Class A	24	25	20	25	0	94	4	7	11	9	0	31	17%	28%	55%	36%		33%
2	Forge Prescription	42	26	20	7	0	95	5	5	8	3	0	21	12%	19%	40%	43%		22%
2	Distribute Paraphenalia	7	3	0	1	0	11	1	0	0	1	0	2	14%	0%		100%		18%
2	Operate to Endanger	1009	405	185	114	0	1713	73	72	56	42	0	243	7%	18%	30%	37%		14%
2	Use Without Authority	68	58	32	26	0	184	12	24	20	15	0	71	18%	41%	63%	58%		39%
2	Use w/o Authority 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Habitual Traffic Offender	30	60	34	17	0	141	15	30	16	9	0	70	50%	50%	47%	53%		50%
2	Racing	8	1	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
2	Operate After Suspension 2nd	432	628	354	289	2	1705	114	304	185	186	2	791	26%	48%	52%	64%	100%	46%
2	Compulsory Insurance Violation	851	456	248	160	2	1717	55	62	45	52	2	216	6%	14%	18%	33%	100%	13%
2	Altering MV ID Number	3	0	1	1	0	5	0	0	0	0	0	0	0%		0%	0%		0%

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	56	43	23	20	0	142	8	9	4	8	0	29	14%	21%	17%	40%		20%
2	False Statement On Application	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
2	Prostitution	118	143	67	44	0	372	30	55	18	18	0	121	25%	38%	27%	41%		33%
2	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	61	27	18	14	0	120	14	14	8	9	0	45	23%	52%	44%	64%		38%
2	Obscene Material to Minor	3	1	0	1	0	5	1	1	0	1	0	3	33%	100%		100%		60%
2	Failure To Disperse	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Firearm Possess w/o Permit	138	52	22	10	0	222	68	32	14	6	0	120	49%	62%	64%	60%		54%
2	Possess Mace	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
2	Possess Ammunition	6	3	2	0	0	11	2	0	1	0	0	3	33%	0%	50%			27%
2	Firearm Store Improper	7	2	0	0	0	9	0	1	0	0	0	1	0%	50%				11%
2	Escape Work Release Program	0	1	1	3	0	5	0	1	1	2	0	4		100%	100%	67%		80%
2	Escape Lockup	1	1	11	4	0	17	0	1	10	4	0	15	0%	100%	91%	100%		88%
2	Aiding An Escape	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
2	Impersonate/Disguise	14	13	6	2	0	35	1	6	2	1	0	10	7%	46%	33%	50%		29%
2	False Statement	13	3	3	2	0	21	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Failure to Appear	17	18	10	6	0	51	1	7	3	1	0	12	6%	39%	30%	17%		24%
2	Possess Stun Gun	6	3	0	0	0	9	0	0	0	0	0	0	0%	0%				0%
2	Possess Dangerous Weapon	6	3	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
2	False Alarm	6	6	5	3	0	20	0	1	3	1	0	5	0%	17%	60%	33%		25%
2	Fireworks	9	5	2	3	0	19	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Violation Of Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Disrupt Court Proceedings	1	4	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Contributing To Delinquency	20	7	7	1	0	35	4	1	4	1	0	10	20%	14%	57%	100%		29%
2	Cruelty To Animals	13	11	6	2	0	32	2	1	4	1	0	8	15%	9%	67%	50%		25%
2	Mistreat Police Animal	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
2	Work Compensation Fail Have	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Resisting Arrest	297	250	174	96	1	818	47	67	65	43	1	223	16%	27%	37%	45%	100%	27%
2	False Report Of Crime	27	13	4	2	0	46	2	1	1	0	0	4	7%	8%	25%	0%		9%
2	Disconnect Sprinkler System	0	1	2	1	0	4	0	1	2	1	0	4		100%	100%	100%		100%
2	Firearms - False Statement	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
2	Record w/o Manufacturer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Nuisance, Aid or Permit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Unregistered Contractor	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
2	True Name Law	52	35	26	13	0	126	9	13	10	6	0	38	17%	37%	38%	46%		30%
2	<b>Sub-Total</b>	<b>6978</b>	<b>5331</b>	<b>3170</b>	<b>2394</b>	<b>16</b>	<b>17889</b>	<b>957</b>	<b>1488</b>	<b>1110</b>	<b>1047</b>	<b>9</b>	<b>4611</b>	<b>14%</b>	<b>28%</b>	<b>35%</b>	<b>44%</b>	<b>56%</b>	<b>26%</b>

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
1	Threatening	127	115	95	81	2	420	23	38	39	35	2	137	18%	33%	41%	43%	100%	33%
1	Defrauding Victualer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Vandalism	16	10	2	4	0	32	3	1	1	0	0	5	19%	10%	50%	0%		16%
1	Trespassing	312	258	206	171	2	949	20	46	39	52	1	158	6%	18%	19%	30%	50%	17%
1	Gaming	10	2	1	0	0	13	0	0	0	0	0	0	0%	0%	0%			0%
1	Possession Class D Marijuana	519	268	146	57	2	992	38	53	37	13	1	142	7%	20%	25%	23%	50%	14%
1	Possession Class E	11	14	13	12	0	50	2	3	5	8	0	18	18%	21%	38%	67%		36%
1	Inhaling Toxic Vapors	4	1	0	1	0	6	0	1	0	0	0	1	0%	100%		0%		17%
1	Attaching Wrong MV Plates	220	112	50	25	0	407	2	2	5	1	0	10	1%	2%	10%	4%		2%
1	Operate After Suspension	2292	1768	896	564	1	5521	123	229	134	95	0	581	5%	13%	15%	17%	0%	11%
1	MV - Impersonate/Other License	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	RV On Public Way	16	5	4	2	0	27	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Common Night Walker	41	46	15	9	0	111	17	22	10	4	0	53	41%	48%	67%	44%		48%
1	Indecent Exposure	28	17	11	18	0	74	3	6	1	5	0	15	11%	35%	9%	28%		20%
1	Lewd And Lacivious	17	17	5	6	0	45	2	7	3	3	0	15	12%	41%	60%	50%		33%
1	Peeping Tom	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	Disorderly Conduct	1024	697	430	306	1	2458	64	74	64	84	0	286	6%	11%	15%	27%	0%	12%
1	Firearm Discharge	5	1	1	0	0	7	1	0	0	0	0	1	20%	0%	0%			14%
1	Annoying Phone Calls	37	34	13	10	0	94	0	6	3	3	0	12	0%	18%	23%	30%		13%
1	Failure To Obey Police Officer	52	14	18	8	0	92	2	1	0	0	0	3	4%	7%	0%	0%		3%
1	Obstructing Justice	2	2	0	2	0	6	1	0	0	0	0	1	50%	0%		0%		17%
1	Alcohol, Procure for Minor	44	26	13	6	0	89	2	4	3	0	0	9	5%	15%	23%	0%		10%
1	Alcohol, Transporting	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
1	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Cigarette/Match Thrown Fr Veh	5	1	1	0	0	7	0	0	0	0	0	0	0%	0%	0%			0%
1	Tattooing	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
1	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Employment Practices	17	9	1	0	0	27	1	1	0	0	0	2	6%	11%	0%			7%
1	Health Code Violation	6	2	0	0	0	8	0	0	0	0	0	0	0%	0%				0%
1	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	5	2	3	1	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Remove Token from Grave	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
<b>1</b>	<b>Sub-Total</b>	<b>4823</b>	<b>3427</b>	<b>1925</b>	<b>1285</b>	<b>8</b>	<b>11468</b>	<b>304</b>	<b>495</b>	<b>344</b>	<b>303</b>	<b>4</b>	<b>1450</b>	<b>6%</b>	<b>14%</b>	<b>18%</b>	<b>24%</b>	<b>50%</b>	<b>13%</b>

**Table 49 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	8	10	1	3	0	22	0	0	0	2	0	2	0%	0%	0%	67%		9%
0	Attempt B&E	8	9	4	9	0	30	0	4	3	6	0	13	0%	44%	75%	67%		43%
0	Conspiracy Violate CSA	27	20	11	11	0	69	2	6	4	4	0	16	7%	30%	36%	36%		23%
0	Solicit Felony	0	0	0	0	0	0	0	0	0	0	0	0						
0	Conspiracy	11	8	7	3	0	29	4	0	5	0	0	9	36%	0%	71%	0%		31%
0	Attempt To Commit Crime	18	19	22	17	0	76	5	8	8	9	0	30	28%	42%	36%	53%		39%
0	Accessory Before	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
0	Accessory After	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%
0	Other Crime	1	0	2	0	0	3	1	0	0	0	0	1	100%		0%			33%
0	<b>Sub-Total</b>	<b>76</b>	<b>67</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>234</b>	<b>12</b>	<b>19</b>	<b>20</b>	<b>22</b>	<b>0</b>	<b>73</b>	<b>16%</b>	<b>28%</b>	<b>43%</b>	<b>50%</b>		<b>31%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	17	11	7	7	0	42	17	11	7	7	0	42	100%	100%	100%	100%		100%
<b>9</b>	<b>Sub-Total</b>	<b>17</b>	<b>11</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>42</b>	<b>17</b>	<b>11</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>42</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>		<b>100%</b>
8	Manslaughter	10	7	11	8	0	36	10	7	11	8	0	36	100%	100%	100%	100%		100%
8	Armed Assault In Dwell House	4	1	0	0	0	5	4	1	0	0	0	5	100%	100%				100%
8	Rape, Aggravated	6	5	3	3	1	18	6	5	3	3	1	18	100%	100%	100%	100%	100%	100%
8	Rape Of Child w/Force	13	5	4	1	0	23	11	4	4	1	0	20	85%	80%	100%	100%		87%
8	Firearmed Assault w/i Murder	2	1	3	0	0	6	2	1	3	0	0	6	100%	100%	100%			100%
8	Home Invasion	2	3	1	1	0	7	1	3	1	0	0	5	50%	100%	100%	0%		71%
8	Burglary, Armed	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
8	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
8	Traffic Cocaine 200+	9	1	1	1	0	12	9	1	1	1	0	12	100%	100%	100%	100%		100%
<b>8</b>	<b>Sub-Total</b>	<b>48</b>	<b>23</b>	<b>23</b>	<b>16</b>	<b>1</b>	<b>111</b>	<b>45</b>	<b>22</b>	<b>23</b>	<b>15</b>	<b>1</b>	<b>106</b>	<b>94%</b>	<b>96%</b>	<b>100%</b>	<b>94%</b>	<b>100%</b>	<b>95%</b>
7	Murder, Attempted	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Mayhem	5	5	6	6	0	22	5	4	6	6	0	21	100%	80%	100%	100%		95%
7	A&B Child w/Injury Substantial	2	2	0	0	0	4	1	1	0	0	0	2	50%	50%				50%
7	Rape	14	8	5	4	0	31	14	7	3	4	0	28	100%	88%	60%	100%		90%
7	Rape of Child 2nd	0	0	1	2	1	4	0	0	1	2	1	4			100%	100%	100%	100%
7	Assault w/I Rape 2nd	0	0	0	0	2	2	0	0	0	0	2	2					100%	100%
7	Assault w/i Rape Child	1	1	1	2	0	5	1	1	1	0	0	3	100%	100%	100%	0%		60%
7	Incest	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
7	Drug for Sexual Intercourse	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
7	Armed Robbery Gun	18	11	8	15	0	52	13	11	7	15	0	46	72%	100%	88%	100%		88%
7	Armed Assault w/i Murder	22	19	16	12	0	69	17	18	15	11	0	61	77%	95%	94%	92%		88%
7	Carjacking, Armed	3	1	0	2	0	6	2	1	0	2	0	5	67%	100%		100%		83%
7	Confine And Put In Fear	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Traffic Heroin 028-100	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
7	Traffic Heroin 100-200	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
7	Traffic Cocaine 100-200	16	2	4	0	0	22	16	2	4	0	0	22	100%	100%	100%			100%
<b>7</b>	<b>Sub-Total</b>	<b>88</b>	<b>53</b>	<b>42</b>	<b>43</b>	<b>3</b>	<b>229</b>	<b>75</b>	<b>48</b>	<b>38</b>	<b>40</b>	<b>3</b>	<b>204</b>	<b>85%</b>	<b>91%</b>	<b>90%</b>	<b>93%</b>	<b>100%</b>	<b>89%</b>



**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	7	1	1	0	0	9	5	1	1	0	0	7	71%	100%	100%			78%
6	A&B Dangerous Weapon	20	13	23	25	1	82	20	13	23	25	1	82	100%	100%	100%	100%	100%	100%
6	Assault To Kill or Maim	5	3	1	1	0	10	3	3	1	1	0	8	60%	100%	100%	100%		80%
6	Rape Of Child	79	27	12	8	0	126	57	22	10	7	0	96	72%	81%	83%	88%		76%
6	Assault w/i Rape	2	3	1	1	0	7	1	2	1	1	0	5	50%	67%	100%	100%		71%
6	Indecent A&B On Child 2nd	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
6	Child Pornography	4	0	1	0	0	5	1	0	1	0	0	2	25%		100%			40%
6	Robbery Unarmed + 60	3	4	3	5	0	15	1	4	3	5	0	13	33%	100%	100%	100%		87%
6	Armed Robbery	47	35	35	39	1	157	31	28	33	38	1	131	66%	80%	94%	97%	100%	83%
6	Armed Assault w/i Rob	9	2	1	5	0	17	7	2	1	5	0	15	78%	100%	100%	100%		88%
6	Armed Aslt w/i Rob Over 65	1	0	3	2	0	6	1	0	3	2	0	6	100%		100%	100%		100%
6	Carjacking	2	2	1	3	0	8	0	1	1	3	0	5	0%	50%	100%	100%		63%
6	Kidnapping	3	3	2	4	0	12	3	3	2	4	0	12	100%	100%	100%	100%		100%
6	Violation Of Civil Rights, Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
6	Burning Dwelling House	11	6	1	1	0	19	7	4	1	0	0	12	64%	67%	100%	0%		63%
6	Distribute Class A 2nd	0	1	4	6	0	11	0	1	4	6	0	11		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	1	5	0	0	6	0	1	5	0	0	6		100%	100%			100%
6	Traffic Heroin 014-028	3	2	0	0	0	5	3	2	0	0	0	5	100%	100%				100%
6	Traffic Cocaine 028-100	42	14	13	1	0	70	42	14	13	1	0	70	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	4	4	1	1	0	10	4	4	1	1	0	10	100%	100%	100%	100%		100%
6	Possess Explosive Device	1	1	1	1	0	4	1	1	1	0	0	3	100%	100%	100%	0%		75%
6	<b>Sub-Total</b>	<b>245</b>	<b>122</b>	<b>111</b>	<b>105</b>	<b>2</b>	<b>585</b>	<b>189</b>	<b>106</b>	<b>107</b>	<b>100</b>	<b>2</b>	<b>504</b>	<b>77%</b>	<b>87%</b>	<b>96%</b>	<b>95%</b>	<b>100%</b>	<b>86%</b>
5	A&B Child w/Injury	13	4	3	4	0	24	2	4	2	2	0	10	15%	100%	67%	50%		42%
5	Indecent A&B On Child	40	10	6	5	0	61	32	7	5	4	0	48	80%	70%	83%	80%		79%
5	Robbery Unarmed	22	9	19	33	0	83	6	8	17	30	0	61	27%	89%	89%	91%		73%
5	Intimidation	7	2	3	9	0	21	4	2	3	8	0	17	57%	100%	100%	89%		81%
5	Stalking Violation of Rest. Order	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
5	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
5	Common & Notorious Thief	3	2	1	0	0	6	3	2	1	0	0	6	100%	100%	100%			100%
5	Burglary	6	5	5	8	0	24	3	3	4	8	0	18	50%	60%	80%	100%		75%
5	Gaming Enterprise	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	19	15	14	1	49	0	19	15	14	1	49		100%	100%	100%	100%	100%
5	Traffic Cocaine 014-028	32	29	12	11	0	84	32	29	12	11	0	84	100%	100%	100%	100%		100%
5	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	8	1	0	1	0	10	1	0	0	1	0	2	13%	0%		100%		20%
5	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	<b>Sub-Total</b>	<b>135</b>	<b>81</b>	<b>66</b>	<b>90</b>	<b>1</b>	<b>373</b>	<b>83</b>	<b>74</b>	<b>61</b>	<b>83</b>	<b>1</b>	<b>302</b>	<b>61%</b>	<b>91%</b>	<b>92%</b>	<b>92%</b>	<b>100%</b>	<b>81%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
4	A&B Guard	0	2	1	5	1	9	0	2	1	5	1	9		100%	100%	100%	100%	100%
4	A&B Dangerous Weapon	50	27	10	13	0	100	50	27	10	13	0	100	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	28	9	6	3	0	46	17	6	6	3	0	32	61%	67%	100%	100%		70%
4	Assault w/i Rob	3	4	4	4	0	15	3	4	4	3	0	14	100%	100%	100%	75%		93%
4	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
4	Larceny More	0	4	3	4	0	11	0	4	3	4	0	11		100%	100%	100%		100%
4	Larceny More + 60	0	1	2	0	0	3	0	1	2	0	0	3		100%	100%			100%
4	Larceny Person	6	14	4	8	0	32	4	13	4	8	0	29	67%	93%	100%	100%		91%
4	Larceny Person + 65	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
4	Larceny MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	B&E	3	5	12	50	2	72	3	5	12	50	2	72	100%	100%	100%	100%	100%	100%
4	Receiving Stolen Goods Over	0	0	1	3	0	4	0	0	1	3	0	4			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	1	5	0	6	0	0	1	5	0	6			100%	100%		100%
4	Burning Building	11	4	3	0	0	18	5	3	3	0	0	11	45%	75%	100%			61%
4	Burning to Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
4	Distribute Class A	48	41	49	27	0	165	28	30	47	26	0	131	58%	73%	96%	96%		79%
4	Distribute Class B	112	59	33	36	0	240	53	37	23	32	0	145	47%	63%	70%	89%		60%
4	Distribute Cocaine	74	46	43	16	0	179	74	46	43	16	0	179	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	3	0	0	0	5	2	3	0	0	0	5	100%	100%				100%
4	Larceny Cont Sub	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Giving Prisoner Cont Sub	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
4	Control Substance School	30	29	41	9	0	109	30	29	41	9	0	109	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - OUI	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Leaving Scene Death	5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%
4	OUI Serious Inj, Fel	4	3	0	0	0	7	4	3	0	0	0	7	100%	100%				100%
4	Assault Weapon, Possess	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
4	Escape	0	0	3	2	0	5	0	0	3	2	0	5			100%	100%		100%
4	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Bribery	4	1	0	2	0	7	1	0	0	1	0	2	25%	0%		50%		29%
4	Extortion	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
4	Bomb Hoax	0	1	1	1	0	3	0	0	1	0	0	1		0%	100%	0%		33%
4	Tax Law Violation	7	3	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
4	<b>Sub-Total</b>	<b>399</b>	<b>260</b>	<b>218</b>	<b>193</b>	<b>3</b>	<b>1073</b>	<b>288</b>	<b>217</b>	<b>206</b>	<b>184</b>	<b>3</b>	<b>898</b>	<b>72%</b>	<b>83%</b>	<b>94%</b>	<b>95%</b>	<b>100%</b>	<b>84%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	50	28	26	26	0	130	27	19	21	22	0	89	54%	68%	81%	85%		68%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	26	8	7	4	0	45	0	0	0	0	0	0	0%	0%	0%	0%		0%
3	A&B Dangerous Weapon + 60	1	1	1	2	0	5	0	1	1	2	0	4	0%	100%	100%	100%		80%
3	Assault Dangerous Weapon	19	15	11	5	0	50	14	9	9	5	0	37	74%	60%	82%	100%		74%
3	Assault Dangerous Weapon + 60	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
3	Kidnapping	4	0	0	1	0	5	0	0	0	0	0	0	0%			0%		0%
3	Violation Of Civil Rights	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Abuse Patient Lg Trm Care FacI	0	0	0	0	0	0	0	0	0	0	0	0						
3	Restraining Order Violation	7	1	0	4	0	12	4	0	0	4	0	8	57%	0%		100%		67%
3	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny More	42	7	6	10	0	65	9	2	5	6	0	22	21%	29%	83%	60%		34%
3	Larceny More + 60	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Larceny Building	2	3	2	3	0	10	2	1	2	2	0	7	100%	33%	100%	67%		70%
3	Larceny from Truck	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny Firearm	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny MV	2	2	0	8	0	12	2	2	0	7	0	11	100%	100%		88%		92%
3	Embezzlement	7	1	0	0	0	8	4	0	0	0	0	4	57%	0%				50%
3	Credit Card Misuse - More	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
3	Fraud	5	1	0	0	0	6	1	0	0	0	0	1	20%	0%				17%
3	MV - Sales Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Possess Burglarious Tools	1	2	3	7	0	13	0	0	0	7	0	7	0%	0%	0%	100%		54%
3	B&E	15	15	17	33	1	81	7	11	15	24	1	58	47%	73%	88%	73%	100%	72%
3	Mal Dest Property More	0	0	2	3	0	5	0	0	2	2	0	4			100%	67%		80%
3	Receiving Stolen Goods Over	2	1	1	1	0	5	1	1	0	0	0	2	50%	100%	0%	0%		40%
3	Receiving Stolen Goods MV	4	2	6	16	0	28	0	1	4	16	0	21	0%	50%	67%	100%		75%
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Forgery And Uttering	9	5	2	8	0	24	2	3	1	4	0	10	22%	60%	50%	50%		42%
3	Counterfeit	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Burning Property	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0						
3	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gaming Register Bets	5	1	0	0	0	6	1	0	0	0	0	1	20%	0%				17%
3	Possession Class A 2nd	2	1	2	2	0	7	2	1	2	1	0	6	100%	100%	100%	50%		86%
3	Possession Class A Heroin 2nd	0	1	1	2	0	4	0	0	1	2	0	3		0%	100%	100%		75%
3	Possession Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Distribute Class C	0	1	1	0	0	2	0	1	0	0	0	1		100%	0%			50%
3	Distribute Class D 2nd	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%		100%
3	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Hypodermic 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	6	1	0	1	0	8	2	1	0	0	0	3	33%	100%		0%		38%

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Leaving Scene Personal Injury	0	1	1	1	0	3	0	0	0	1	0	1		0%	0%	100%		33%
3	OUI Serious Inj, Misd	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Inducing Minor To Sex	0	0	0	0	0	0	0	0	0	0	0	0						
3	Polygamy	0	0	0	0	0	0	0	0	0	0	0	0						
3	Body Armor, Use in Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Gun Serial Number	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
3	Firearm Loaded while OUI	0	0	0	0	0	0	0	0	0	0	0	0						
3	Nonsupport	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Interfere Police or Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Contempt Of Court	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Animal Kill or Poison	0	0	0	0	0	0	0	0	0	0	0	0						
3	Throw Object On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sex Offender Fail Register	0	0	0	0	0	0	0	0	0	0	0	0						
3	Vandalize - Graves	0	0	0	0	0	0	0	0	0	0	0	0						
3	Wiretapping	0	0	0	0	0	0	0	0	0	0	0	0						
3	<b>Sub-Total</b>	<b>224</b>	<b>106</b>	<b>92</b>	<b>142</b>	<b>1</b>	<b>565</b>	<b>84</b>	<b>56</b>	<b>65</b>	<b>110</b>	<b>1</b>	<b>316</b>	<b>38%</b>	<b>53%</b>	<b>71%</b>	<b>77%</b>	<b>100%</b>	<b>56%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny	13	1	0	0	0	14	0	0	0	0	0	0	0%	0%				0%
2	Larceny + 60	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny Less	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%
2	Shoplifting	0	0	0	0	0	0	0	0	0	0	0	0						
2	Credit Card Misuse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Defrauding Insurer	6	1	0	0	0	7	2	1	0	0	0	3	33%	100%				43%
2	MV - False Report Of Theft	4	0	0	1	0	5	1	0	0	0	0	1	25%			0%		20%
2	Fraud - Identity	0	0	0	0	0	0	0	0	0	0	0	0						
2	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0						
2	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Conveying Mortgaged Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Concealing Stolen Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Failure To Return Leased Prop	0	0	0	0	0	0	0	0	0	0	0	0						
2	B&E MV	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
2	B&E w/i Misdemeanor	0	4	1	1	0	6	0	1	1	1	0	3		25%	100%	100%		50%
2	Property Destruction	0	0	0	4	0	4	0	0	0	3	0	3				75%		75%
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	6	0	3	3	0	12	0	0	3	3	0	6	0%		100%	100%		50%
2	Setting Fire In Open	0	0	0	0	0	0	0	0	0	0	0	0						
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0						
2	Gaming Use of Telephone	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Possession Class A	2	2	1	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
2	Possession Class A Heroin	3	1	3	3	0	10	1	0	2	2	0	5	33%	0%	67%	67%		50%
2	Possession Class B	17	8	6	3	1	35	4	2	3	0	0	9	24%	25%	50%	0%	0%	26%
2	Possession Class C	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class D	5	1	1	2	0	9	0	1	1	1	0	3	0%	100%	100%	50%		33%
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Distribute Counterfeit Substance	1	2	1	1	0	5	1	2	1	0	0	4	100%	100%	100%	0%		80%
2	Distribute Class D	22	6	1	0	0	29	11	4	0	0	0	15	50%	67%	0%			52%
2	Distribute Class E	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Hypodermic/Syringe	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Presence Class A	0	0	0	0	0	0	0	0	0	0	0	0						
2	Forge Prescription	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
2	Distribute Paraphenalia	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate to Endanger	3	1	0	1	0	5	2	1	0	1	0	4	67%	100%		100%		80%
2	Use Without Authority	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Habitual Traffic Offender	0	0	0	0	0	0	0	0	0	0	0	0						
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate After Suspension 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Altering MV ID Number	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
2	False Statement On Application	0	0	0	0	0	0	0	0	0	0	0	0						
2	Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Common Night Walker 3rd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Open And Gross	4	7	2	1	0	14	1	5	1	0	0	7	25%	71%	50%	0%		50%
2	Obscene Material to Minor	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Possess w/o Permit	8	5	1	2	0	16	7	4	1	2	0	14	88%	80%	100%	100%		88%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	2	1	1	0	0	4	1	1	1	0	0	3	50%	100%	100%			75%
2	Firearm Store Improper	0	0	0	0	0	0	0	0	0	0	0	0						
2	Escape Work Release Program	0	0	0	0	0	0	0	0	0	0	0	0						
2	Escape Lockup	0	0	0	0	0	0	0	0	0	0	0	0						
2	Aiding An Escape	0	0	0	0	0	0	0	0	0	0	0	0						
2	Impersonate/Disguise	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Statement	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Failure to Appear	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
2	Possess Stun Gun	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
2	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disrupt Court Proceedings	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contributing To Delinquency	4	0	1	1	0	6	1	0	1	0	0	2	25%		100%	0%		33%
2	Cruelty To Animals	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Mistreat Police Animal	0	0	0	0	0	0	0	0	0	0	0	0						
2	Work Compensation Fail Have	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
2	False Report Of Crime	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disconnect Sprinkler System	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearms - False Statement	0	0	0	0	0	0	0	0	0	0	0	0						
2	Record w/o Manufacturer	0	0	0	0	0	0	0	0	0	0	0	0						
2	Nuisance, Aid or Permit	0	0	0	0	0	0	0	0	0	0	0	0						
2	Unregistered Contractor	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
2	True Name Law	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	<b>Sub-Total</b>	<b>117</b>	<b>45</b>	<b>25</b>	<b>30</b>	<b>1</b>	<b>218</b>	<b>37</b>	<b>22</b>	<b>16</b>	<b>17</b>	<b>0</b>	<b>92</b>	<b>32%</b>	<b>49%</b>	<b>64%</b>	<b>57%</b>	<b>0%</b>	<b>42%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	0	0	0	0	0	0						
1	Threatening	2	3	0	2	0	7	0	1	0	1	0	2	0%	33%		50%		29%
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Gaming	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Possession Class D Marijuana	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Possession Class E	0	0	0	0	0	0	0	0	0	0	0	0						
1	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0	0						
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
1	Operate After Suspension	1	1	2	1	0	5	0	0	1	1	0	2	0%	0%	50%	100%		40%
1	MV - Impersonate/Other License	0	0	0	0	0	0	0	0	0	0	0	0						
1	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Common Night Walker	0	0	0	0	0	0	0	0	0	0	0	0						
1	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0						
1	Lewd And Lacivious	0	0	0	0	0	0	0	0	0	0	0	0						
1	Peeping Tom	0	0	0	0	0	0	0	0	0	0	0	0						
1	Disorderly Conduct	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
1	Firearm Discharge	0	0	0	0	0	0	0	0	0	0	0	0						
1	Annoying Phone Calls	0	0	0	0	0	0	0	0	0	0	0	0						
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Obstructing Justice	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Alcohol, Procure for Minor	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Alcohol, Transporting	0	0	0	0	0	0	0	0	0	0	0	0						
1	Throwing Glass On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	0	0	0	0	0	0						
1	Tattooing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Business Practice	0	0	0	0	0	0	0	0	0	0	0	0						
1	Employment Practices	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Health Code Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Violation Aircraft Restriction	0	0	0	0	0	0	0	0	0	0	0	0						
1	Fail To Comply With Dog Order	0	0	0	0	0	0	0	0	0	0	0	0						
1	Remove Token from Grave	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
1	<b>Sub-Total</b>	<b>13</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>26</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>8</b>	<b>15%</b>	<b>43%</b>	<b>33%</b>	<b>67%</b>		<b>31%</b>

**Table 50 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court**

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	2	0	0	1	0	3	1	0	0	0	0	1	50%			0%		33%
0	Attempt B&E	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
0	Conspiracy Violate CSA	13	10	4	2	0	29	9	3	3	1	0	16	69%	30%	75%	50%		55%
0	Solicit Felony	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
0	Conspiracy	24	4	2	4	0	34	5	2	2	3	0	12	21%	50%	100%	75%		35%
0	Attempt To Commit Crime	4	2	3	2	0	11	1	1	2	2	0	6	25%	50%	67%	100%		55%
0	Accessory Before	4	3	3	0	0	10	2	1	2	0	0	5	50%	33%	67%			50%
0	Accessory After	8	1	0	2	0	11	3	1	0	1	0	5	38%	100%		50%		45%
0	Other Crime	0	0	0	0	0	0	0	0	0	0	0	0						
0	<b>Sub-Total</b>	<b>56</b>	<b>20</b>	<b>13</b>	<b>13</b>	<b>0</b>	<b>102</b>	<b>22</b>	<b>8</b>	<b>10</b>	<b>9</b>	<b>0</b>	<b>49</b>	<b>39%</b>	<b>40%</b>	<b>77%</b>	<b>69%</b>		<b>48%</b>



**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>9</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
8	Manslaughter	9	7	11	8	0	35	148.0	108.0	148.4	147.0	.	139.9	168.0	108.0	180.0	144.0	.	120.0
8	Armed Assault In Dwell House	4	1	0	0	0	5	153.0	120.0	.	.	.	146.4	132.0	120.0	.	.	.	120.0
8	Rape, Aggravated	5	4	3	2	1	15	39.6	67.5	352.0	132.0	180.0	131.2	36.0	51.0	78.0	132.0	180.0	51.0
8	Rape Of Child w/Force	11	4	4	1	0	20	60.5	37.7	78.0	300.0	.	71.4	48.0	39.3	72.0	300.0	.	54.0
8	Firearmed Assault w/i Murder	2	1	3	0	0	6	57.0	108.0	148.0	.	.	111.0	57.0	108.0	144.0	.	.	114.0
8	Home Invasion	1	3	1	0	0	5	48.0	180.0	72.0	.	.	132.0	48.0	180.0	72.0	.	.	120.0
8	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Heroin 200+	2	0	0	0	0	2	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
8	Traffic Cocaine 200+	9	1	1	1	0	12	184.0	180.0	180.0	180.0	.	183.0	180.0	180.0	180.0	180.0	.	180.0
<b>8</b>	<b>Sub-Total</b>	<b>43</b>	<b>21</b>	<b>23</b>	<b>12</b>	<b>1</b>	<b>100</b>	<b>116.0</b>	<b>101.2</b>	<b>160.7</b>	<b>160.0</b>	<b>180.0</b>	<b>129.1</b>	<b>120.0</b>	<b>108.0</b>	<b>120.0</b>	<b>174.0</b>	<b>180.0</b>	<b>120.0</b>
7	Murder, Attempted	1	0	1	0	0	2	60.0	.	60.0	.	.	60.0	60.0	.	60.0	.	.	60.0
7	Mayhem	5	4	5	6	0	20	70.8	57.0	33.6	112.0	.	71.1	54.0	48.0	24.0	90.0	.	51.0
7	A&B Child w/Injury Substantial	1	1	0	0	0	2	60.0	60.0	.	.	.	60.0	60.0	60.0	.	.	.	60.0
7	Rape	12	7	3	4	0	26	77.5	60.0	52.0	69.0	.	68.5	66.0	48.0	48.0	66.0	.	60.0
7	Rape of Child 2nd	0	0	1	1	1	3	.	.	96.0	120.0	60.0	92.0	.	.	96.0	120.0	60.0	96.0
7	Assault w/I Rape 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	1	1	0	0	0	2	60.0	84.0	.	.	.	72.0	60.0	84.0	.	.	.	72.0
7	Incest	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
7	Drug for Sexual Intercourse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery Gun	13	11	7	15	0	46	54.0	46.4	82.3	69.2	.	61.4	48.0	48.0	60.0	60.0	.	48.0
7	Armed Assault w/i Murder	17	18	15	11	0	61	63.2	77.0	81.6	68.2	.	72.7	60.0	54.0	72.0	60.0	.	60.0
7	Carjacking, Armed	1	1	0	2	0	4	48.0	24.0	.	66.0	.	51.0	48.0	24.0	.	66.0	.	48.0
7	Confine And Put In Fear	0	1	0	0	0	1	.	96.0	.	.	.	96.0	.	96.0	.	.	.	96.0
7	Traffic Heroin 028-100	2	1	0	0	0	3	84.0	84.0	.	.	.	84.0	84.0	84.0	.	.	.	84.0
7	Traffic Heroin 100-200	3	0	0	0	0	3	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
7	Traffic Cocaine 100-200	16	2	4	0	0	22	121.5	156.0	120.0	.	.	124.4	120.0	156.0	120.0	.	.	120.0
<b>7</b>	<b>Sub-Total</b>	<b>72</b>	<b>48</b>	<b>36</b>	<b>39</b>	<b>1</b>	<b>196</b>	<b>80.0</b>	<b>67.7</b>	<b>76.7</b>	<b>76.6</b>	<b>60.0</b>	<b>75.6</b>	<b>66.0</b>	<b>48.0</b>	<b>60.0</b>	<b>72.0</b>	<b>60.0</b>	<b>60.0</b>

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	2	0	0	0	0	2	78.0	.	.	.	.	78.0	78.0	.	.	.	.	78.0
6	A&B Dangerous Weapon	20	13	23	25	1	82	41.4	45.8	44.6	31.0	108.0	40.7	36.0	48.0	36.0	24.0	108.0	36.0
6	Assault To Kill or Maim	1	3	1	1	0	6	36.0	44.0	84.0	48.0	.	50.0	36.0	36.0	84.0	48.0	.	42.0
6	Rape Of Child	35	10	7	5	0	57	85.9	69.6	61.0	103.2	.	81.5	60.0	66.0	48.0	108.0	.	60.0
6	Assault w/i Rape	1	1	1	1	0	4	60.0	60.0	180.0	228.0	.	132.0	60.0	60.0	180.0	228.0	.	120.0
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	.	.	27.0	.	.	27.0	.	.	27.0	.	.	27.0
6	Child Pornography	1	0	1	0	0	2	120.0	.	120.0	.	.	120.0	120.0	.	120.0	.	.	120.0
6	Robbery Unarmed + 60	1	4	3	5	0	13	60.0	28.5	32.0	36.0	.	34.6	60.0	24.0	36.0	36.0	.	36.0
6	Armed Robbery	31	28	33	37	1	130	47.6	43.3	60.9	54.2	60.0	52.0	36.0	36.0	60.0	48.0	60.0	48.0
6	Armed Assault w/i Rob	7	2	1	5	0	15	56.6	42.0	72.0	52.8	.	54.4	60.0	42.0	72.0	48.0	.	48.0
6	Armed Aslt w/i Rob Over 65	1	0	3	2	0	6	48.0	.	52.0	54.0	.	52.0	48.0	.	48.0	54.0	.	48.0
6	Carjacking	0	1	1	3	0	5	.	36.0	36.0	48.0	.	43.2	.	36.0	36.0	48.0	.	48.0
6	Kidnapping	3	3	2	4	0	12	48.0	76.0	78.0	60.0	.	64.0	48.0	72.0	78.0	60.0	.	60.0
6	Violation Of Civil Rights,	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
6	Burning Dwelling House	1	2	1	0	0	4	36.0	48.0	42.0	.	.	43.5	36.0	48.0	42.0	.	.	39.0
6	Distribute Class A 2nd	0	1	4	6	0	11	.	60.0	60.0	60.0	.	60.0	.	60.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	1	5	0	0	6	.	60.0	66.0	.	.	65.0	.	60.0	60.0	.	.	60.0
6	Traffic Heroin 014-028	3	2	0	0	0	5	60.0	60.0	.	.	.	60.0	60.0	60.0	.	.	.	60.0
6	Traffic Cocaine 028-100	41	14	13	1	0	69	68.8	66.0	72.9	60.0	.	68.9	60.0	60.0	60.0	60.0	.	60.0
6	MV Homicide - OUI Felony	2	4	1	1	0	8	48.0	67.5	48.0	66.0	.	60.0	48.0	57.0	48.0	66.0	.	51.0
6	Possess Explosive Device	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
6	<b>Sub-Total</b>	<b>150</b>	<b>89</b>	<b>103</b>	<b>97</b>	<b>2</b>	<b>441</b>	<b>63.1</b>	<b>52.7</b>	<b>58.8</b>	<b>51.7</b>	<b>84.0</b>	<b>57.6</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>48.0</b>	<b>84.0</b>	<b>60.0</b>
5	A&B Child w/Injury	1	2	1	1	0	5	48.0	36.0	48.0	36.0	.	40.8	48.0	36.0	48.0	36.0	.	48.0
5	Indecent A&B On Child	14	1	4	2	0	21	32.1	48.0	51.0	60.0	.	39.1	36.0	48.0	48.0	60.0	.	36.0
5	Robbery Unarmed	6	8	16	30	0	60	43.0	34.5	31.1	39.1	.	36.7	45.0	24.0	24.0	36.0	.	36.0
5	Intimidation	1	1	1	6	0	9	36.0	24.0	24.0	35.0	.	32.7	36.0	24.0	24.0	33.0	.	30.0
5	Stalking Violation of Rest.	0	0	0	3	0	3	.	.	.	28.0	.	28.0	.	.	.	24.0	.	24.0
5	Stalking 2nd	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
5	Common & Notorious Thief	1	0	1	0	0	2	120.0	.	84.0	.	.	102.0	120.0	.	84.0	.	.	102.0
5	Burglary	3	3	4	8	0	18	24.0	32.0	33.0	39.0	.	34.0	24.0	36.0	30.0	42.0	.	36.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	18	15	14	1	48	.	42.0	42.0	44.1	60.0	43.0	.	36.0	36.0	39.0	60.0	36.0
5	Traffic Cocaine 014-028	31	29	12	11	0	83	36.8	37.0	37.0	39.8	.	37.3	36.0	36.0	36.0	36.0	.	36.0
5	Inducing Minor To Prostitution	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
5	Perjury or Suborn	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	<b>Sub-Total</b>	<b>58</b>	<b>62</b>	<b>55</b>	<b>76</b>	<b>1</b>	<b>252</b>	<b>37.2</b>	<b>37.8</b>	<b>38.2</b>	<b>39.7</b>	<b>60.0</b>	<b>38.4</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>60.0</b>	<b>36.0</b>

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	2	0	0	1	0	3	12.0	.	.	36.0	.	20.0	12.0	.	.	36.0	.	12.0
4	A&B Guard	0	2	1	5	1	9	.	12.0	36.0	20.4	84.0	27.3	.	12.0	36.0	12.0	84.0	12.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	2	3	2	2	0	9	36.0	36.0	54.0	36.0	.	40.0	36.0	36.0	54.0	36.0	.	36.0
4	Assault w/i Rob	2	3	4	3	0	12	18.0	40.0	21.0	26.0	.	26.5	18.0	36.0	24.0	24.0	.	24.0
4	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	0	4	3	4	0	11	.	40.5	30.0	25.5	.	32.2	.	42.0	36.0	27.0	.	36.0
4	Larceny More + 60	0	1	1	0	0	2	.	36.0	60.0	.	.	48.0	.	36.0	60.0	.	.	48.0
4	Larceny Person	0	0	0	6	0	6	.	.	.	30.0	.	30.0	.	.	.	33.0	.	33.0
4	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	3	5	12	49	2	71	68.0	33.6	43.5	46.9	66.0	46.8	36.0	24.0	36.0	40.0	66.0	36.0
4	Receiving Stolen Goods Over	0	0	1	3	0	4	.	.	54.0	38.0	.	42.0	.	.	54.0	42.0	.	45.0
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	39.0	.	39.0	.	.	.	36.0	.	36.0
4	Burning Building	1	2	1	0	0	4	72.0	33.0	60.0	.	.	49.5	72.0	33.0	60.0	.	.	48.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	16	16	33	14	0	79	25.5	34.5	36.3	37.7	.	34.0	24.0	36.0	36.0	36.0	.	36.0
4	Distribute Class B	5	7	16	23	0	51	28.8	31.7	28.9	33.1	.	31.2	36.0	30.0	30.0	36.0	.	36.0
4	Distribute Cocaine	34	24	26	8	0	92	25.4	28.8	31.4	38.3	.	29.1	24.0	24.0	24.0	36.0	.	24.0
4	Traffic Mar 50-100	1	1	0	0	0	2	30.0	42.0	.	.	.	36.0	30.0	42.0	.	.	.	36.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Control Substance School	6	5	11	5	0	27	35.0	26.4	28.9	27.6	.	29.6	27.0	24.0	30.0	30.0	.	30.0
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
4	Assault Weapon, Possess	1	1	0	0	0	2	48.0	24.0	.	.	.	36.0	48.0	24.0	.	.	.	36.0
4	Escape	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Extortion	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	<b>Sub-Total</b>	<b>73</b>	<b>75</b>	<b>111</b>	<b>130</b>	<b>3</b>	<b>392</b>	<b>28.9</b>	<b>31.7</b>	<b>34.3</b>	<b>37.9</b>	<b>72.0</b>	<b>34.3</b>	<b>24.0</b>	<b>30.0</b>	<b>36.0</b>	<b>36.0</b>	<b>84.0</b>	<b>30.0</b>

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Dangerous Weapon + 60	0	1	1	1	0	3	.	48.0	24.0	36.0	.	36.0	.	48.0	24.0	36.0	.	36.0
3	Assault Dangerous Weapon	7	4	5	3	0	19	37.7	40.5	32.4	34.0	.	36.3	42.0	39.0	36.0	36.0	.	36.0
3	Assault Dangerous Weapon + 60	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Abuse Patient Lg Trm Care FacI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	1	0	0	2	0	3	24.0	.	.	36.0	.	32.0	24.0	.	.	36.0	.	24.0
3	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	2	0	0	2	0	4	24.0	.	.	33.0	.	28.5	24.0	.	.	33.0	.	33.0
3	Embezzlement	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
3	Credit Card Misuse - More	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	0	0	0	3	0	3	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	1	1	0	2	.	.	60.0	108.0	.	84.0	.	.	60.0	108.0	.	84.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	9	0	10	.	.	24.0	48.1	.	45.7	.	.	24.0	36.0	.	33.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	0	1	0	3	0	4	.	24.0	.	26.0	.	25.5	.	24.0	.	30.0	.	27.0
3	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Hypodermic 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Animal Kill or Poison	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	<b>Sub-Total</b>	<b>11</b>	<b>6</b>	<b>9</b>	<b>27</b>	<b>0</b>	<b>53</b>	<b>36.0</b>	<b>39.0</b>	<b>35.3</b>	<b>40.3</b>	<b>.</b>	<b>38.4</b>	<b>36.0</b>	<b>39.0</b>	<b>36.0</b>	<b>36.0</b>	<b>.</b>	<b>36.0</b>

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Conveying Mortgaged Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Gaming Use of Telephone	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Paraphernalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Compulsory Insurance Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	1	1	0	0	0	2	24.0	18.0	.	.	.	21.0	24.0	18.0	.	.	.	21.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Work Release Program	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Lockup	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearms - False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Nuisance, Aid or Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	<b>Sub-Total</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>24.0</b>	<b>18.0</b>	<b>.</b>	<b>30.0</b>	<b>.</b>	<b>24.0</b>	<b>24.0</b>	<b>18.0</b>	<b>.</b>	<b>30.0</b>	<b>.</b>	<b>24.0</b>

**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Inhaling Toxic Vapors	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And Lacivious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Peeping Tom	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Tattooing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>1</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>



**Table 51 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	7	2	1	0	0	10	63.4	24.0	60.0	.	.	55.2	.	.	.	.	.	.
0	Solicit Felony	1	0	0	0	0	1	18.0	.	.	.	.	18.0	.	.	.	.	.	.
0	Conspiracy	3	0	1	2	0	6	32.0	.	24.0	21.0	.	27.0	.	.	.	.	.	.
0	Attempt To Commit Crime	0	0	1	1	0	2	.	.	24.0	48.0	.	36.0	.	.	.	.	.	.
0	Accessory Before	1	1	1	0	0	3	96.0	60.0	60.0	.	.	72.0	.	.	.	.	.	.
0	Accessory After	1	0	0	1	0	2	60.0	.	.	30.0	.	45.0	.	.	.	.	.	.
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	<b>Sub-Total</b>	<b>13</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>24</b>	<b>54.9</b>	<b>36.0</b>	<b>42.0</b>	<b>30.0</b>	.	<b>46.3</b>	.	.	.	.	.	.

Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>9</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
8	Manslaughter	9	7	11	8	0	35	176.0	142.3	169.1	171.0	.	165.9	180.0	144.0	240.0	156.0	.	156.0
8	Armed Assault In Dwell House	4	1	0	0	0	5	186.0	120.0	.	.	.	172.8	180.0	120.0	.	.	.	180.0
8	Rape, Aggravated	5	4	3	2	1	15	49.2	106.5	456.0	180.0	180.0	172.0	48.0	69.0	84.0	180.0	180.0	69.0
8	Rape Of Child w/Force	11	4	4	1	0	20	79.6	43.7	96.0	360.0	.	89.7	60.0	51.3	90.0	360.0	.	60.0
8	Firearmed Assault w/i Murder	2	1	3	0	0	6	60.0	144.0	192.0	.	.	140.0	60.0	144.0	180.0	.	.	150.0
8	Home Invasion	1	3	1	0	0	5	60.0	240.0	96.0	.	.	175.2	60.0	240.0	96.0	.	.	240.0
8	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Heroin 200+	2	0	0	0	0	2	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
8	Traffic Cocaine 200+	9	1	1	1	0	12	200.0	180.0	180.0	180.0	.	195.0	180.0	180.0	180.0	180.0	.	180.0
<b>8</b>	<b>Sub-Total</b>	<b>43</b>	<b>21</b>	<b>23</b>	<b>12</b>	<b>1</b>	<b>100</b>	<b>134.7</b>	<b>131.5</b>	<b>194.1</b>	<b>189.0</b>	<b>180.0</b>	<b>154.6</b>	<b>144.0</b>	<b>120.0</b>	<b>138.0</b>	<b>174.0</b>	<b>180.0</b>	<b>144.0</b>
7	Murder, Attempted	1	0	1	0	0	2	72.0	.	90.0	.	.	81.0	72.0	.	90.0	.	.	81.0
7	Mayhem	5	4	5	6	0	20	105.6	75.0	45.6	124.0	.	90.0	84.0	60.0	48.0	108.0	.	60.0
7	A&B Child w/Injury Substantial	1	1	0	0	0	2	96.0	60.0	.	.	.	78.0	96.0	60.0	.	.	.	78.0
7	Rape	12	7	3	4	0	26	100.5	78.9	68.0	72.0	.	86.5	78.0	84.0	72.0	72.0	.	72.0
7	Rape of Child 2nd	0	0	1	1	1	3	.	.	96.0	144.0	120.0	120.0	.	.	96.0	144.0	120.0	120.0
7	Assault w/I Rape 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	1	1	0	0	0	2	72.0	84.0	.	.	.	78.0	72.0	84.0	.	.	.	78.0
7	Incest	0	1	0	0	0	1	.	72.0	.	.	.	72.0	.	72.0	.	.	.	72.0
7	Drug for Sexual Intercourse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery Gun	13	11	7	15	0	46	65.5	58.9	98.6	84.4	.	75.1	60.0	60.0	72.0	60.0	.	60.0
7	Armed Assault w/i Murder	17	18	15	11	0	61	85.4	96.7	97.2	83.5	.	91.3	84.0	78.0	84.0	60.0	.	84.0
7	Carjacking, Armed	1	1	0	2	0	4	48.0	24.0	.	72.0	.	54.0	48.0	24.0	.	72.0	.	48.0
7	Confine And Put In Fear	0	1	0	0	0	1	.	120.0	.	.	.	120.0	.	120.0	.	.	.	120.0
7	Traffic Heroin 028-100	2	1	0	0	0	3	90.0	84.0	.	.	.	88.0	90.0	84.0	.	.	.	84.0
7	Traffic Heroin 100-200	3	0	0	0	0	3	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
7	Traffic Cocaine 100-200	16	2	4	0	0	22	127.5	180.0	120.0	.	.	130.9	120.0	180.0	120.0	.	.	120.0
<b>7</b>	<b>Sub-Total</b>	<b>72</b>	<b>48</b>	<b>36</b>	<b>39</b>	<b>1</b>	<b>196</b>	<b>95.9</b>	<b>84.3</b>	<b>90.2</b>	<b>89.9</b>	<b>120.0</b>	<b>90.9</b>	<b>90.0</b>	<b>72.0</b>	<b>72.0</b>	<b>84.0</b>	<b>120.0</b>	<b>84.0</b>

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	2	0	0	0	0	2	90.0	.	.	.	.	90.0	90.0	.	.	.	.	90.0
6	A&B Dangerous Weapon	20	13	23	25	1	82	57.3	61.4	54.8	39.9	120.0	52.7	60.0	60.0	42.0	36.0	120.0	48.0
6	Assault To Kill or Maim	1	3	1	1	0	6	48.0	62.0	120.0	72.0	.	71.0	48.0	60.0	120.0	72.0	.	66.0
6	Rape Of Child	35	10	7	5	0	57	110.1	88.8	79.9	127.2	.	104.1	72.0	84.0	72.0	120.0	.	72.0
6	Assault w/i Rape	1	1	1	1	0	4	120.0	60.0	240.0	240.0	.	165.0	120.0	60.0	240.0	240.0	.	180.0
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	.	.	42.0	.	.	42.0	.	.	42.0	.	.	42.0
6	Child Pornography	1	0	1	0	0	2	240.0	.	120.0	.	.	180.0	240.0	.	120.0	.	.	180.0
6	Robbery Unarmed + 60	1	4	3	5	0	13	96.0	33.0	44.0	52.8	.	48.0	96.0	30.0	48.0	48.0	.	48.0
6	Armed Robbery	31	28	33	37	1	130	67.6	56.8	77.2	69.7	84.0	68.4	60.0	48.0	72.0	60.0	84.0	60.0
6	Armed Assault w/i Rob	7	2	1	5	0	15	72.0	54.0	108.0	64.9	.	69.7	72.0	54.0	108.0	48.6	.	60.0
6	Armed Aslt w/i Rob Over 65	1	0	3	2	0	6	48.0	.	60.0	72.0	.	62.0	48.0	.	60.0	72.0	.	60.0
6	Carjacking	0	1	1	3	0	5	.	36.0	36.0	72.0	.	57.6	.	36.0	36.0	72.0	.	72.0
6	Kidnapping	3	3	2	4	0	12	60.0	92.0	96.0	66.0	.	76.0	48.0	108.0	96.0	60.0	.	72.0
6	Violation Of Civil Rights,	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
6	Burning Dwelling House	1	2	1	0	0	4	42.0	72.0	60.0	.	.	61.5	42.0	72.0	60.0	.	.	60.0
6	Distribute Class A 2nd	0	1	4	6	0	11	.	60.0	75.0	64.0	.	67.7	.	60.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	1	5	0	0	6	.	60.0	74.4	.	.	72.0	.	60.0	60.0	.	.	60.0
6	Traffic Heroin 014-028	3	2	0	0	0	5	68.0	84.0	.	.	.	74.4	60.0	84.0	.	.	.	84.0
6	Traffic Cocaine 028-100	41	14	13	1	0	69	76.1	78.9	79.4	60.0	.	77.1	60.0	78.0	60.0	60.0	.	72.0
6	MV Homicide - OUI Felony	2	4	1	1	0	8	78.0	75.0	60.0	66.0	.	72.8	78.0	60.0	60.0	66.0	.	63.0
6	Possess Explosive Device	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
6	<b>Sub-Total</b>	<b>150</b>	<b>89</b>	<b>103</b>	<b>97</b>	<b>2</b>	<b>441</b>	<b>80.2</b>	<b>66.4</b>	<b>72.5</b>	<b>64.7</b>	<b>102.0</b>	<b>72.3</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>102.0</b>	<b>60.0</b>
5	A&B Child w/Injury	1	2	1	1	0	5	60.0	48.0	60.0	36.0	.	50.4	60.0	48.0	60.0	36.0	.	60.0
5	Indecent A&B On Child	14	1	4	2	0	21	43.7	72.0	69.0	78.0	.	53.2	36.0	72.0	72.0	78.0	.	48.0
5	Robbery Unarmed	6	8	16	30	0	60	55.0	42.8	42.8	50.8	.	48.0	54.0	30.0	36.0	48.0	.	42.0
5	Intimidation	1	1	1	6	0	9	60.0	36.0	24.0	45.0	.	43.3	60.0	36.0	24.0	42.0	.	36.0
5	Stalking Violation of Rest.	0	0	0	3	0	3	.	.	.	42.0	.	42.0	.	.	.	48.0	.	48.0
5	Stalking 2nd	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
5	Common & Notorious Thief	1	0	1	0	0	2	180.0	.	120.0	.	.	150.0	180.0	.	120.0	.	.	150.0
5	Burglary	3	3	4	8	0	18	26.0	48.0	45.0	45.8	.	42.7	24.0	48.0	42.0	45.0	.	39.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	18	15	14	1	48	.	48.0	46.8	51.4	60.0	48.9	.	42.0	42.0	45.0	60.0	45.0
5	Traffic Cocaine 014-028	31	29	12	11	0	83	43.0	42.0	42.3	44.7	.	42.8	36.0	36.0	36.0	48.0	.	36.0
5	Inducing Minor To Prostitution	0	0	1	0	0	1	.	.	42.0	.	.	42.0	.	.	42.0	.	.	42.0
5	Perjury or Suborn	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	<b>Sub-Total</b>	<b>58</b>	<b>62</b>	<b>55</b>	<b>76</b>	<b>1</b>	<b>252</b>	<b>46.8</b>	<b>44.7</b>	<b>47.2</b>	<b>49.0</b>	<b>60.0</b>	<b>47.1</b>	<b>36.0</b>	<b>36.0</b>	<b>39.0</b>	<b>48.0</b>	<b>60.0</b>	<b>37.5</b>

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	2	0	0	1	0	3	12.0	.	.	36.0	.	20.0	12.0	.	.	36.0	.	12.0
4	A&B Guard	0	2	1	5	1	9	.	12.0	60.0	24.0	120.0	36.0	.	12.0	60.0	24.0	120.0	24.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	2	3	2	2	0	9	48.0	44.0	60.0	36.0	.	46.7	48.0	36.0	60.0	36.0	.	48.0
4	Assault w/i Rob	2	3	4	3	0	12	24.0	42.0	25.5	32.0	.	31.0	24.0	36.0	24.0	36.0	.	33.0
4	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	0	4	3	4	0	11	.	51.0	46.0	40.5	.	45.8	.	60.0	60.0	42.0	.	60.0
4	Larceny More + 60	0	1	1	0	0	2	.	48.0	84.0	.	.	66.0	.	48.0	84.0	.	.	66.0
4	Larceny Person	0	0	0	6	0	6	.	.	.	37.0	.	37.0	.	.	.	33.0	.	33.0
4	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	3	5	12	49	2	71	88.0	45.6	56.0	55.8	72.0	56.9	48.0	48.0	54.0	48.0	72.0	48.0
4	Receiving Stolen Goods Over	0	0	1	3	0	4	.	.	54.0	40.0	.	43.5	.	.	54.0	48.0	.	48.0
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	39.0	.	39.0	.	.	.	36.0	.	36.0
4	Burning Building	1	2	1	0	0	4	96.0	51.0	72.0	.	.	67.5	96.0	51.0	72.0	.	.	66.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	16	16	33	14	0	79	36.0	44.3	45.0	48.0	.	43.6	36.0	36.0	39.0	48.0	.	36.0
4	Distribute Class B	5	7	16	23	0	51	37.2	42.0	34.3	37.8	.	37.3	42.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	34	24	26	8	0	92	40.2	39.8	42.7	56.3	.	42.2	36.0	36.0	45.0	60.0	.	36.0
4	Traffic Mar 50-100	1	1	0	0	0	2	36.0	48.0	.	.	.	42.0	36.0	48.0	.	.	.	42.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Control Substance School	6	5	11	5	0	27	36.0	31.2	30.0	33.6	.	32.2	30.0	24.0	30.0	30.0	.	30.0
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
4	Assault Weapon, Possess	1	1	0	0	0	2	84.0	24.0	.	.	.	54.0	84.0	24.0	.	.	.	54.0
4	Escape	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Extortion	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	<b>Sub-Total</b>	<b>73</b>	<b>75</b>	<b>111</b>	<b>130</b>	<b>3</b>	<b>392</b>	<b>41.0</b>	<b>41.1</b>	<b>43.0</b>	<b>46.0</b>	<b>88.0</b>	<b>43.6</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>84.0</b>	<b>36.0</b>

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Dangerous Weapon + 60	0	1	1	1	0	3	.	48.0	24.0	36.0	.	36.0	.	48.0	24.0	36.0	.	36.0
3	Assault Dangerous Weapon	7	4	5	3	0	19	50.6	46.5	38.4	36.0	.	44.2	60.0	45.0	36.0	36.0	.	48.0
3	Assault Dangerous Weapon + 60	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Abuse Patient Lg Trm Care FacI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	1	0	0	2	0	3	36.0	.	.	42.0	.	40.0	36.0	.	.	42.0	.	36.0
3	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	2	0	0	2	0	4	30.0	.	.	48.0	.	39.0	30.0	.	.	48.0	.	36.0
3	Embezzlement	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
3	Credit Card Misuse - More	0	0	0	2	0	2	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	0	0	0	3	0	3	.	.	.	28.0	.	28.0	.	.	.	36.0	.	36.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	1	1	0	2	.	.	84.0	120.0	.	102.0	.	.	84.0	120.0	.	102.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	9	0	10	.	.	24.0	52.8	.	49.9	.	.	24.0	42.0	.	36.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	0	1	0	3	0	4	.	36.0	.	38.0	.	37.5	.	36.0	.	36.0	.	36.0
3	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Hypodermic 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Animal Kill or Poison	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	<b>Sub-Total</b>	<b>11</b>	<b>6</b>	<b>9</b>	<b>27</b>	<b>0</b>	<b>53</b>	<b>47.5</b>	<b>45.0</b>	<b>42.7</b>	<b>46.3</b>	<b>.</b>	<b>45.8</b>	<b>48.0</b>	<b>45.0</b>	<b>36.0</b>	<b>36.0</b>	<b>.</b>	<b>42.0</b>

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Conveying Mortgaged Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Gaming Use of Telephone	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Paraphernalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Compulsory Insurance Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	1	1	0	0	0	2	36.0	18.0	.	.	.	27.0	36.0	18.0	.	.	.	27.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Work Release Program	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Lockup	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearms - False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Nuisance, Aid or Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	<b>Sub-Total</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>36.0</b>	<b>18.0</b>	<b>.</b>	<b>36.0</b>	<b>.</b>	<b>30.0</b>	<b>36.0</b>	<b>18.0</b>	<b>.</b>	<b>36.0</b>	<b>.</b>	<b>36.0</b>



**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Inhaling Toxic Vapors	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And Lacivious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Peeping Tom	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Tattooing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>1</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>

**Table 52 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	7	2	1	0	0	10	90.9	48.0	60.0	.	.	79.2	.	.	.	.	.	.
0	Solicit Felony	1	0	0	0	0	1	24.0	.	.	.	.	24.0	.	.	.	.	.	.
0	Conspiracy	3	0	1	2	0	6	32.0	.	24.0	27.0	.	29.0	.	.	.	.	.	.
0	Attempt To Commit Crime	0	0	1	1	0	2	.	.	36.0	60.0	.	48.0	.	.	.	.	.	.
0	Accessory Before	1	1	1	0	0	3	144.0	84.0	84.0	.	.	104.0	.	.	.	.	.	.
0	Accessory After	1	0	0	1	0	2	60.0	.	.	42.0	.	51.0	.	.	.	.	.	.
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	<b>Sub-Total</b>	<b>13</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>24</b>	<b>73.9</b>	<b>60.0</b>	<b>51.0</b>	<b>39.0</b>	.	<b>62.5</b>	.	.	.	.	.	.

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>9</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
8	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape, Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Heroin 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Cocaine 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>8</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
7	Murder, Attempted	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Mayhem	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape of Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/I Rape 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Drug for Sexual Intercourse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Carjacking, Armed	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
7	Confine And Put In Fear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Cocaine 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
<b>7</b>	<b>Sub-Total</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>24.0</b>	<b>.</b>	<b>30.0</b>	<b>.</b>	<b>.</b>	<b>27.0</b>	<b>24.0</b>	<b>.</b>	<b>30.0</b>	<b>.</b>	<b>.</b>	<b>27.0</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	3	1	1	0	0	5	24.7	18.0	30.0	.	.	24.4	30.0	18.0	30.0	.	.	30.0
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Assault To Kill or Maim	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
6	Rape Of Child	21	9	3	2	0	35	18.6	24.0	20.7	30.0	.	20.8	24.0	24.0	24.0	30.0	.	24.0
6	Assault w/i Rape	0	1	0	0	0	1	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Carjacking	0	1	3	1	0	5	.	24.0	26.0	6.0	.	21.6	.	24.0	24.0	6.0	.	24.0
6	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Violation Of Civil Rights,	2	0	0	0	0	2	13.5	.	.	.	.	13.5	13.5	.	.	.	.	13.5
6	Burning Dwelling House	6	2	0	0	0	8	20.7	18.0	.	.	.	20.0	24.0	18.0	.	.	.	24.0
6	Distribute Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Distribute Cocaine 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Heroin 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Cocaine 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	4	0	0	0	0	4	17.3	.	.	.	.	17.3	13.5	.	.	.	.	13.5
6	Possess Explosive Device	1	1	0	0	0	2	30.0	30.0	.	.	.	30.0	30.0	30.0	.	.	.	30.0
6	<b>Sub-Total</b>	<b>39</b>	<b>15</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>64</b>	<b>19.4</b>	<b>22.4</b>	<b>24.3</b>	<b>22.0</b>	<b>.</b>	<b>20.8</b>	<b>18.0</b>	<b>24.0</b>	<b>24.0</b>	<b>30.0</b>	<b>.</b>	<b>24.0</b>
5	A&B Child w/Injury	3	5	3	4	0	15	8.2	8.2	18.3	13.5	.	11.6	6.0	6.0	19.0	9.0	.	6.0
5	Indecent A&B On Child	55	26	13	8	0	102	13.1	15.2	18.8	12.4	.	14.3	12.0	15.0	24.0	12.0	.	12.0
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	25	58	64	52	0	199	5.5	6.1	8.2	11.1	.	8.0	3.0	3.0	6.0	10.5	.	6.0
5	Stalking Violation of Rest.	0	0	1	3	0	4	.	.	12.0	22.0	.	19.5	.	.	12.0	18.0	.	18.0
5	Stalking 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Common & Notorious Thief	2	2	0	0	0	4	15.0	12.0	.	.	.	13.5	15.0	12.0	.	.	.	12.0
5	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Traffic Cocaine 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Inducing Minor To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
5	Possess Molotov Cocktail	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
5	<b>Sub-Total</b>	<b>85</b>	<b>91</b>	<b>82</b>	<b>68</b>	<b>0</b>	<b>326</b>	<b>10.7</b>	<b>9.0</b>	<b>10.5</b>	<b>11.8</b>	<b>.</b>	<b>10.4</b>	<b>9.0</b>	<b>6.0</b>	<b>7.3</b>	<b>12.0</b>	<b>.</b>	<b>6.5</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	5	3	5	1	0	14	13.4	5.0	7.0	30.0	.	10.5	7.7	6.0	6.0	30.0	.	6.0
4	A&B Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon	75	68	65	78	0	286	17.7	17.7	17.7	17.4	.	17.6	15.0	18.0	15.0	12.0	.	15.0
4	A&B To Collect Loan	0	0	1	1	0	2	.	.	4.0	18.0	.	11.0	.	.	4.0	18.0	.	11.0
4	Indecent A&B	30	18	17	7	0	72	10.6	9.4	13.5	11.7	.	11.1	8.0	6.0	12.0	12.0	.	10.0
4	Assault w/i Rob	1	1	0	0	0	2	30.0	24.0	.	.	.	27.0	30.0	24.0	.	.	.	27.0
4	Kidnapping	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
4	Stalking	6	3	5	6	0	20	10.2	16.3	14.8	15.0	.	13.7	5.7	18.0	12.0	15.0	.	12.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	37	77	58	56	0	228	9.1	11.0	11.2	11.6	.	10.9	6.0	10.0	10.5	12.0	.	9.0
4	Larceny Person + 65	0	2	2	0	0	4	.	10.5	6.3	.	.	8.4	.	10.5	6.3	.	.	9.0
4	Larceny MV 2nd	0	0	0	4	0	4	.	.	.	21.0	.	21.0	.	.	.	21.0	.	21.0
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	0	2	4	0	6	.	.	21.0	13.5	.	16.0	.	.	21.0	12.0	.	12.0
4	Burning Building	4	1	2	0	0	7	14.3	12.0	27.0	.	.	17.6	12.0	12.0	27.0	.	.	12.0
4	Burning to Defraud	0	0	0	1	0	1	.	.	.	18.0	.	18.0	.	.	.	18.0	.	18.0
4	Distribute Class A	126	155	130	121	0	532	10.1	11.6	12.1	14.8	.	12.1	9.0	11.0	12.0	12.0	.	12.0
4	Distribute Class B	225	204	115	85	1	630	8.7	11.0	11.8	13.1	18.0	10.6	6.0	9.0	12.0	12.0	18.0	9.0
4	Distribute Cocaine	40	22	17	8	0	87	17.6	15.8	21.3	22.1	.	18.3	18.0	12.0	20.0	24.0	.	18.0
4	Traffic Mar 50-100	1	2	0	0	0	3	12.0	12.0	.	.	.	12.0	12.0	12.0	.	.	.	12.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	3	3	5	2	0	13	10.1	4.3	3.8	4.0	.	5.4	6.0	6.0	2.0	4.0	.	5.0
4	Control Substance School	63	66	74	27	2	232	24.4	24.0	24.3	24.7	24.0	24.3	24.0	24.0	24.0	24.0	24.0	24.0
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	4	1	0	0	0	5	19.5	1.0	.	.	.	15.8	18.0	1.0	.	.	.	12.0
4	Leaving Scene Death	5	2	1	0	0	8	20.4	30.0	12.0	.	.	21.8	18.0	30.0	12.0	.	.	24.0
4	OUI Serious Inj, Fel	7	3	3	1	0	14	13.7	14.0	12.0	18.0	.	13.7	12.0	12.0	12.0	18.0	.	12.0
4	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	4	20	22	22	0	68	2.8	5.6	5.2	2.7	.	4.4	2.0	4.5	3.0	3.0	.	3.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
4	Extortion	2	0	0	1	0	3	6.4	.	.	3.0	.	5.3	6.4	.	.	3.0	.	3.0
4	Bomb Hoax	0	0	1	0	0	1	.	.	3.8	.	.	3.8	.	.	3.8	.	.	3.8
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	<b>Sub-Total</b>	<b>639</b>	<b>652</b>	<b>525</b>	<b>425</b>	<b>3</b>	<b>2244</b>	<b>12.5</b>	<b>13.1</b>	<b>14.3</b>	<b>14.6</b>	<b>22.0</b>	<b>13.5</b>	<b>12.0</b>	<b>12.0</b>	<b>12.0</b>	<b>12.0</b>	<b>24.0</b>	<b>12.0</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	390	647	659	547	3	2246	4.7	5.1	6.9	8.5	5.7	6.4	3.0	3.0	6.0	6.0	6.0	5.2
3	A&B Domestic	36	76	74	41	0	227	3.3	5.5	6.8	8.0	.	6.0	3.0	3.5	4.1	6.0	.	3.5
3	A&B Dangerous Weapon	146	185	115	85	1	532	3.0	3.6	4.3	4.7	6.0	3.8	2.0	3.0	4.0	6.0	6.0	3.0
3	A&B Dangerous Weapon + 60	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
3	Assault Dangerous Weapon	80	99	92	91	0	362	6.7	6.8	8.1	8.0	.	7.4	3.7	4.0	6.0	6.0	.	6.0
3	Assault Dangerous Weapon + 60	0	0	0	2	0	2	.	.	.	27.0	.	27.0	.	.	.	27.0	.	27.0
3	Unnatural Acts	0	1	3	0	0	4	.	6.0	1.8	.	.	2.9	.	6.0	1.5	.	.	2.3
3	Child Pornography Possess	1	1	0	0	0	2	24.0	24.0	.	.	.	24.0	24.0	24.0	.	.	.	24.0
3	Kidnapping	1	0	1	1	0	3	2.3	.	4.0	3.5	.	3.3	2.3	.	4.0	3.5	.	3.5
3	Violation Of Civil Rights	1	0	1	0	0	2	0.3	.	1.0	.	.	0.7	0.3	.	1.0	.	.	0.7
3	Abuse Patient Lg Trm Care FacI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	74	154	204	172	1	605	3.8	4.1	6.1	7.5	9.0	5.7	2.0	3.0	5.0	6.0	9.0	3.0
3	Larceny	17	23	23	20	1	84	2.4	2.7	3.9	4.6	1.0	3.4	1.0	2.0	2.0	5.0	1.0	2.5
3	Larceny More	117	171	175	238	1	702	3.7	5.2	6.4	8.1	3.0	6.2	2.0	3.0	6.0	6.0	3.0	6.0
3	Larceny More + 60	1	0	1	3	0	5	2.0	.	30.0	18.0	.	17.2	2.0	.	30.0	12.0	.	12.0
3	Larceny Building	18	20	22	25	0	85	5.8	4.1	8.5	8.8	.	7.0	2.5	2.5	6.0	6.0	.	6.0
3	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Firearm	1	4	0	0	0	5	4.0	9.8	.	.	.	8.6	4.0	12.0	.	.	.	12.0
3	Larceny MV	41	55	44	52	0	192	3.1	5.6	6.3	11.8	.	6.9	1.4	3.0	6.0	12.0	.	5.0
3	Embezzlement	3	0	0	0	0	3	11.3	.	.	.	.	11.3	6.0	.	.	.	.	6.0
3	Credit Card Misuse - More	1	3	9	11	0	24	3.4	5.3	9.7	16.1	.	11.8	3.4	6.0	6.0	18.0	.	10.5
3	Fraud	2	0	1	0	0	3	7.0	.	10.0	.	.	8.0	7.0	.	10.0	.	.	10.0
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	19	19	24	28	0	90	6.2	6.4	7.6	12.4	.	8.5	4.2	6.0	6.0	11.0	.	6.0
3	B&E	156	253	222	234	1	866	5.6	7.8	9.7	12.7	12.0	9.2	4.0	6.0	9.0	12.0	12.0	6.0
3	Mal Dest Property More	16	35	31	35	0	117	3.5	4.4	6.4	7.3	.	5.7	1.9	3.0	6.0	6.0	.	3.4
3	Receiving Stolen Goods Over	18	23	22	27	0	90	3.8	7.2	8.8	12.8	.	8.6	1.1	6.0	9.0	12.0	.	6.0
3	Receiving Stolen Goods MV	47	70	61	85	0	263	3.7	7.0	8.5	10.4	.	7.9	3.0	6.0	6.0	9.0	.	6.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
3	Forgery And Uttering	31	44	43	62	0	180	4.6	4.7	6.9	7.9	.	6.3	3.0	3.0	6.0	6.0	.	6.0
3	Counterfeit	1	0	1	0	0	2	8.0	.	1.0	.	.	4.5	8.0	.	1.0	.	.	4.5
3	Burning Property	3	3	2	0	0	8	6.2	3.3	5.5	.	.	5.0	3.6	2.0	5.5	.	.	4.3
3	Burning Motor Vehicle	2	0	0	1	0	3	2.0	.	.	1.0	.	1.7	2.0	.	.	1.0	.	1.0
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
3	Possession Class A 2nd	3	6	10	6	0	25	16.3	10.1	9.5	10.2	.	10.6	24.0	7.5	4.5	10.5	.	6.0
3	Possession Class A Heroin 2nd	2	4	5	4	0	15	6.0	9.5	10.4	15.0	.	10.8	6.0	3.0	12.0	12.0	.	9.0
3	Possession Class B 2nd	7	7	8	13	0	35	4.1	7.4	6.1	8.5	.	6.8	2.0	6.0	6.0	9.0	.	6.0
3	Possession Class C 2nd	1	0	0	0	0	1	9.0	.	.	.	.	9.0	9.0	.	.	.	.	9.0
3	Possession Class D 2nd	3	13	3	1	0	20	0.5	4.1	5.0	0.5	.	3.5	0.3	2.0	6.0	0.5	.	2.0
3	Distribute Class C	3	5	2	4	0	14	2.7	10.4	12.0	3.8	.	7.1	2.0	12.0	12.0	4.0	.	5.0
3	Distribute Class D 2nd	3	6	10	4	0	23	6.0	10.2	14.7	9.0	.	11.4	3.0	12.0	13.5	9.0	.	12.0
3	Distribute Class E 2nd	1	1	1	1	0	4	3.0	12.0	18.0	12.0	.	11.3	3.0	12.0	18.0	12.0	.	12.0
3	Possession Hypodermic 2nd	0	2	2	1	0	5	.	2.5	5.0	2.0	.	3.4	.	2.5	5.0	2.0	.	2.0
3	MV Homicide	6	2	0	0	0	8	10.0	15.0	.	.	.	11.3	7.6	15.0	.	.	.	12.0

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Leaving Scene Property Damage	33	69	62	51	0	215	4.8	3.8	5.2	5.5	.	4.7	3.0	3.0	3.0	4.0	.	3.0
3	Leaving Scene Personal Injury	14	11	14	15	0	54	5.4	4.7	9.9	11.0	.	8.0	4.5	6.0	10.9	9.0	.	6.0
3	OUI Serious Inj, Misd	4	3	0	1	0	8	4.2	9.0	.	12.0	.	7.0	1.8	6.0	.	12.0	.	4.5
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
3	Gun Serial Number	4	3	1	0	0	8	12.3	7.5	16.0	.	.	10.9	12.0	6.0	16.0	.	.	12.0
3	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Nonsupport	5	5	1	2	0	13	5.9	4.5	6.0	7.5	.	5.6	6.0	2.8	6.0	7.5	.	3.3
3	Interfere Police or Firefighter	0	0	1	1	0	2	.	.	0.3	1.0	.	0.7	.	.	0.3	1.0	.	0.7
3	Failure to Appear Felony	1	0	0	0	0	1	12.2	.	.	.	.	12.2	12.2	.	.	.	.	12.2
3	Carrying Dangerous Weapon	22	31	24	10	0	87	4.6	4.8	4.3	7.5	.	4.9	3.2	5.0	3.0	4.5	.	3.0
3	Contempt Of Court	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
3	Animal Kill or Poison	2	0	0	0	0	2	0.7	.	.	.	.	0.7	0.7	.	.	.	.	0.7
3	Throw Object On Public Way	0	1	0	0	0	1	.	5.0	.	.	.	5.0	.	5.0	.	.	.	5.0
3	Sex Offender Fail Register	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	<b>Sub-Total</b>	<b>1339</b>	<b>2055</b>	<b>1976</b>	<b>1876</b>	<b>8</b>	<b>7254</b>	<b>4.6</b>	<b>5.4</b>	<b>7.0</b>	<b>8.9</b>	<b>6.0</b>	<b>6.6</b>	<b>3.0</b>	<b>3.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	8	19	10	22	0	59	5.3	3.7	7.6	6.6	.	5.7	4.5	1.9	7.5	2.5	.	3.0
2	Accost / Annoy Person Opposite	0	0	3	0	0	3	.	.	2.1	.	.	2.1	.	.	1.0	.	.	1.0
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	28	48	36	43	0	155	2.2	3.4	3.2	5.7	.	3.8	1.3	2.3	3.0	6.0	.	3.0
2	Shoplifting	28	108	76	119	2	333	2.0	2.6	2.8	3.8	2.0	3.0	0.9	1.2	2.0	3.0	2.0	1.9
2	Credit Card Misuse	3	10	13	4	0	30	2.3	5.6	6.9	7.8	.	6.1	3.0	6.0	6.0	9.0	.	6.0
2	Defrauding Insurer	2	1	1	0	0	4	12.5	3.0	12.0	.	.	10.0	12.5	3.0	12.0	.	.	7.5
2	MV - False Report Of Theft	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
2	Fraud - Identity	2	1	4	1	0	8	5.5	1.5	3.5	12.0	.	4.8	5.5	1.5	3.9	12.0	.	4.0
2	Defrauding Innkeeper	1	1	1	0	0	3	1.5	0.3	1.0	.	.	0.9	1.5	0.3	1.0	.	.	1.0
2	Welfare Violation	1	2	0	0	0	3	3.0	1.8	.	.	.	2.2	3.0	1.8	.	.	.	2.5
2	Conveying Mortgaged Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	2	2	2	1	0	7	0.6	1.0	2.3	6.0	.	2.0	0.6	1.0	2.3	6.0	.	1.0
2	B&E MV	0	3	0	0	0	3	.	3.6	.	.	.	3.6	.	3.0	.	.	.	3.0
2	B&E w/i Misdemeanor	7	16	20	12	0	55	2.9	3.5	3.3	4.2	.	3.5	3.0	3.0	3.0	4.0	.	3.0
2	Property Destruction	38	43	48	42	0	171	2.9	4.1	4.8	5.2	.	4.3	1.9	3.0	4.0	3.0	.	3.0
2	Tagging Property	5	0	2	0	0	7	4.5	.	1.1	.	.	3.5	1.0	.	1.1	.	.	1.0
2	Receiving Stolen Goods	38	66	65	84	0	253	2.9	5.1	5.5	7.1	.	5.5	2.0	3.0	4.0	6.0	.	3.0
2	Setting Fire In Open	2	1	2	1	0	6	12.0	18.0	9.5	18.0	.	13.2	12.0	18.0	9.5	18.0	.	18.0
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Gaming Use of Telephone	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or	1	0	1	0	0	2	6.0	.	1.0	.	.	3.5	6.0	.	1.0	.	.	3.5
2	Possession Class A	31	35	36	46	0	148	3.8	4.5	5.5	5.5	.	4.9	3.0	5.0	4.0	6.0	.	4.0
2	Possession Class A Heroin	44	81	66	72	0	263	5.3	5.5	6.6	6.5	.	6.0	4.1	6.0	6.0	6.0	.	6.0
2	Possession Class B	76	133	99	72	1	381	2.7	4.1	4.7	4.7	1.0	4.1	1.1	3.0	3.0	3.5	1.0	3.0
2	Possession Class C	7	6	3	5	0	21	3.4	5.0	2.1	3.6	.	3.7	3.0	3.5	3.0	3.0	.	3.0
2	Possession Class D	42	51	41	20	1	155	3.1	3.1	3.6	3.2	9.0	3.3	2.0	2.0	3.0	2.0	9.0	2.0
2	Possession Class D Marijuana	9	15	12	2	0	38	4.3	5.9	8.0	9.0	.	6.3	3.0	4.0	7.0	9.0	.	4.3
2	Distribute Counterfeit	4	8	8	14	0	34	2.2	3.3	4.8	3.2	.	3.5	1.9	2.1	4.5	3.5	.	3.0
2	Distribute Class D	84	67	32	21	0	204	7.4	8.3	8.2	9.2	.	8.0	6.0	6.0	6.0	6.0	.	6.0
2	Distribute Class E	0	1	0	4	0	5	.	1.7	.	4.8	.	4.1	.	1.7	.	6.0	.	6.0
2	Possession Hypodermic/Syringe	28	51	40	47	0	166	3.4	3.1	3.6	5.3	.	3.9	3.0	3.0	3.0	6.0	.	3.0
2	Presence Class A	4	7	11	9	0	31	3.4	4.7	3.3	3.6	.	3.7	3.5	3.0	3.0	1.4	.	3.0
2	Forge Prescription	5	5	8	4	0	22	3.3	3.6	8.3	6.1	.	5.7	3.2	3.0	6.0	6.0	.	4.7
2	Distribute Paraphenalia	1	0	0	1	0	2	4.0	.	.	1.0	.	2.5	4.0	.	.	1.0	.	2.5
2	Operate to Endanger	73	73	56	42	0	244	2.8	3.8	5.3	6.6	.	4.3	1.0	2.0	3.0	4.1	.	3.0
2	Use Without Authority	10	24	19	15	0	68	2.5	5.8	7.4	8.0	.	6.3	3.0	6.0	6.0	6.0	.	6.0
2	Use w/o Authority 2nd	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
2	Habitual Traffic Offender	14	30	16	9	0	69	1.6	1.4	1.5	7.6	.	2.3	0.3	0.4	0.3	3.0	.	0.3
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	114	304	185	185	2	790	1.6	2.4	2.4	3.1	6.0	2.5	1.9	2.0	2.0	2.0	6.0	2.0
2	Compulsory Insurance Violation	46	58	45	51	2	202	1.2	1.7	2.3	2.5	1.2	1.9	0.4	1.0	1.0	2.0	1.2	1.0
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.



**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Counterfeit/Alter MV Document	5	9	4	8	0	26	5.5	3.0	3.6	4.0	.	3.9	2.3	2.0	3.5	3.0	.	2.0
2	False Statement On Application	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
2	Prostitution	30	55	18	18	0	121	1.8	3.1	4.3	3.3	.	3.0	1.0	3.0	3.5	2.5	.	2.0
2	Common Night Walker 3rd	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	14	18	9	9	0	50	7.4	11.2	6.8	8.3	.	8.8	6.0	12.0	8.0	9.0	.	8.5
2	Obscene Material to Minor	1	1	0	1	0	3	2.0	18.0	.	12.0	.	10.7	2.0	18.0	.	12.0	.	12.0
2	Failure To Disperse	1	0	0	0	0	1	0.2	.	.	.	.	0.2	0.2	.	.	.	.	0.2
2	Firearm Possess w/o Permit	75	36	15	8	0	134	11.6	9.9	8.0	11.6	.	10.7	12.0	12.0	6.0	12.0	.	12.0
2	Possess Mace	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
2	Possess Ammunition	3	1	2	0	0	6	12.0	1.5	7.2	.	.	8.6	12.0	1.5	7.2	.	.	9.0
2	Firearm Store Improper	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
2	Escape Work Release Program	0	1	1	2	0	4	.	2.7	12.0	6.5	.	6.9	.	2.7	12.0	6.5	.	7.3
2	Escape Lockup	0	1	10	4	0	15	.	3.0	4.2	7.3	.	4.9	.	3.0	4.5	7.5	.	6.0
2	Aiding An Escape	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Impersonate/Disguise	1	6	2	1	0	10	0.1	0.9	3.5	0.1	.	1.2	0.1	1.0	3.5	0.1	.	1.0
2	False Statement	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
2	Failure to Appear	1	7	3	1	0	12	1.5	2.8	0.7	0.3	.	2.0	1.5	1.0	0.8	0.3	.	0.9
2	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	1	3	1	0	5	.	0.3	1.4	6.0	.	2.1	.	0.3	1.0	6.0	.	1.0
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contributing To Delinquency	5	1	5	1	0	12	1.7	1.0	7.2	0.3	.	3.8	1.9	1.0	6.0	0.3	.	3.0
2	Cruelty To Animals	3	1	4	1	0	9	4.4	1.0	4.9	1.0	.	3.9	0.9	1.0	3.5	1.0	.	1.0
2	Mistreat Police Animal	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	48	67	64	43	1	223	1.9	3.7	4.6	5.4	1.2	3.9	1.0	3.0	2.0	3.0	1.2	2.0
2	False Report Of Crime	2	1	1	0	0	4	0.4	3.0	1.0	.	.	1.2	0.4	3.0	1.0	.	.	0.8
2	Disconnect Sprinkler System	0	1	2	1	0	4	.	3.0	1.5	3.0	.	2.3	.	3.0	1.5	3.0	.	2.5
2	Firearms - False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Nuisance, Aid or Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	1	1	0	0	2	.	3.0	1.3	.	.	2.2	.	3.0	1.3	.	.	2.2
2	True Name Law	8	13	10	6	0	37	0.8	1.5	1.4	2.7	.	1.5	0.5	1.0	1.2	1.0	.	1.0
2	<b>Sub-Total</b>	<b>958</b>	<b>1496</b>	<b>1116</b>	<b>1053</b>	<b>9</b>	<b>4632</b>	<b>3.9</b>	<b>3.9</b>	<b>4.3</b>	<b>5.0</b>	<b>3.3</b>	<b>4.2</b>	<b>2.0</b>	<b>2.0</b>	<b>3.0</b>	<b>3.0</b>	<b>2.0</b>	<b>3.0</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Threatening	23	39	39	36	2	139	2.6	3.2	3.5	3.5	5.0	3.3	2.1	3.0	3.0	3.0	5.0	3.0
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	3	1	1	0	0	5	2.0	6.0	6.0	.	.	3.6	2.0	6.0	6.0	.	.	3.0
1	Trespassing	18	43	37	52	1	151	0.6	0.8	0.7	0.7	0.1	0.7	0.9	1.0	0.7	0.9	0.1	1.0
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	35	49	37	13	1	135	2.0	2.4	2.9	2.5	0.3	2.4	1.0	2.0	2.0	2.5	0.3	1.5
1	Possession Class E	2	3	5	8	0	18	1.1	2.3	4.3	4.1	.	3.5	1.1	3.0	6.0	5.0	.	3.0
1	Inhaling Toxic Vapors	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
1	Attaching Wrong MV Plates	2	2	5	1	0	10	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
1	Operate After Suspension	113	226	125	95	0	559	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	17	22	10	4	0	53	1.5	2.1	2.7	3.9	.	2.2	0.7	1.5	2.0	4.5	.	1.0
1	Indecent Exposure	3	6	1	5	0	15	2.4	1.2	6.0	1.2	.	1.8	3.0	1.0	6.0	0.6	.	1.0
1	Lewd And Lacivious	2	7	3	3	0	15	1.5	2.7	1.7	3.7	.	2.5	1.5	3.0	2.0	4.0	.	2.0
1	Peeping Tom	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Disorderly Conduct	57	73	62	83	0	275	1.2	1.4	1.6	1.4	.	1.4	0.6	0.9	1.0	1.0	.	1.0
1	Firearm Discharge	1	0	0	0	0	1	0.3	.	.	.	.	0.3	0.3	.	.	.	.	0.3
1	Annoying Phone Calls	0	6	3	3	0	12	.	2.5	2.7	3.0	.	2.7	.	3.0	3.0	3.0	.	3.0
1	Failure To Obey Police Officer	1	1	0	0	0	2	1.0	0.8	.	.	.	0.9	1.0	0.8	.	.	.	0.9
1	Obstructing Justice	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
1	Alcohol, Procure for Minor	3	4	3	0	0	10	0.9	0.4	3.6	.	.	1.5	0.3	0.3	0.3	.	.	0.3
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Tattooing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	1	1	0	0	0	2	0.7	1.0	.	.	.	0.8	0.7	1.0	.	.	.	0.8
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	2	0	0	0	2	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
<b>1</b>	<b>Sub-Total</b>	<b>282</b>	<b>486</b>	<b>331</b>	<b>303</b>	<b>4</b>	<b>1406</b>	<b>1.0</b>	<b>1.3</b>	<b>1.5</b>	<b>1.4</b>	<b>2.6</b>	<b>1.3</b>	<b>0.3</b>	<b>0.3</b>	<b>0.3</b>	<b>0.6</b>	<b>2.2</b>	<b>0.3</b>

**Table 53 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment**

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	1	0	0	2	0	3	1.0	.	.	6.0	.	4.3	1.0	.	.	6.0	.	6.0
0	Attempt B&E	0	4	3	8	0	15	.	5.0	5.5	12.7	.	9.2	.	3.5	3.0	6.0	.	6.0
0	Conspiracy Violate CSA	4	6	6	4	0	20	11.4	5.2	7.7	3.3	.	6.8	10.3	6.0	3.0	3.5	.	6.0
0	Solicit Felony	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
0	Conspiracy	6	2	6	1	0	15	8.8	24.0	11.7	3.4	.	11.6	1.7	24.0	9.0	3.4	.	6.0
0	Attempt To Commit Crime	6	9	9	10	0	34	9.0	6.7	6.3	8.1	.	7.4	3.0	3.0	3.0	4.0	.	3.0
0	Accessory Before	1	1	0	0	0	2	24.0	12.0	.	.	.	18.0	24.0	12.0	.	.	.	18.0
0	Accessory After	2	1	0	1	0	4	15.1	30.0	.	0.7	.	15.2	15.1	30.0	.	0.7	.	15.1
0	Other Crime	1	0	0	0	0	1	0.9	.	.	.	.	0.9	0.9	.	.	.	.	0.9
0	<b>Sub-Total</b>	<b>21</b>	<b>23</b>	<b>25</b>	<b>26</b>	<b>0</b>	<b>95</b>	<b>9.9</b>	<b>8.8</b>	<b>8.8</b>	<b>8.2</b>	<b>.</b>	<b>8.9</b>	<b>4.0</b>	<b>6.0</b>	<b>3.0</b>	<b>5.5</b>	<b>.</b>	<b>6.0</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Person	A&B	2118	1872	1296	873	3	6162	394	652	661	548	3	2258	19%	35%	51%	63%	100%	37%
Person	A&B Child w/Injury	28	15	8	7	0	58	4	7	4	5	0	20	14%	47%	50%	71%		34%
Person	A&B Child w/Injury Substantial	2	2	0	0	0	4	1	1	0	0	0	2	50%	50%				50%
Person	A&B Dangerous Weapon	720	534	359	260	2	1875	241	266	204	189	2	902	33%	50%	57%	73%	100%	48%
Person	A&B Dangerous Weapon + 60	4	2	1	2	0	9	0	1	1	2	0	4	0%	50%	100%	100%		44%
Person	A&B Domestic	291	241	160	85	0	777	37	76	74	42	0	229	13%	32%	46%	49%		29%
Person	A&B Elderly / Disabled w/Injury	14	8	7	2	0	31	7	3	5	2	0	17	50%	38%	71%	100%		55%
Person	A&B Guard	0	2	1	5	1	9	0	2	1	5	1	9		100%	100%	100%	100%	100%
Person	A&B To Collect Loan	0	1	1	1	0	3	0	0	1	1	0	2		0%	100%	100%		67%
Person	Abuse Patient Lg Trm Care FacI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Person	Armed Aslt w/i Rob Over 65	1	0	3	2	0	6	1	0	3	2	0	6	100%		100%	100%		100%
Person	Armed Assault In Dwell House	4	1	0	0	0	5	4	1	0	0	0	5	100%	100%				100%
Person	Armed Assault w/i Murder	22	19	16	12	0	69	17	18	15	11	0	61	77%	95%	94%	92%		88%
Person	Armed Assault w/i Rob	9	2	1	5	0	17	7	2	1	5	0	15	78%	100%	100%	100%		88%
Person	Armed Robbery	47	35	35	39	1	157	31	28	33	38	1	131	66%	80%	94%	97%	100%	83%
Person	Armed Robbery Gun	18	11	8	15	0	52	13	11	7	15	0	46	72%	100%	88%	100%		88%
Person	Assault	64	56	41	28	0	189	8	19	10	22	0	59	13%	34%	24%	79%		31%
Person	Assault Dangerous Weapon	304	243	186	142	0	875	88	103	98	94	0	383	29%	42%	53%	66%		44%
Person	Assault Dangerous Weapon + 60	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
Person	Assault To Kill or Maim	5	3	1	1	0	10	3	3	1	1	0	8	60%	100%	100%	100%		80%
Person	Assault w/i Rob	3	4	4	4	0	15	3	4	4	3	0	14	100%	100%	100%	75%		93%
Person	Carjacking	3	3	4	4	0	14	0	2	4	4	0	10	0%	67%	100%	100%		71%
Person	Carjacking, Armed	3	1	0	2	0	6	2	1	0	2	0	5	67%	100%		100%		83%
Person	Confine And Put In Fear	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	Extortion	3	0	0	3	0	6	2	0	0	2	0	4	67%			67%		67%
Person	Firearmed Assault w/i Murder	2	1	3	0	0	6	2	1	3	0	0	6	100%	100%	100%			100%
Person	Home Invasion	2	3	1	1	0	7	1	3	1	0	0	5	50%	100%	100%	0%		71%
Person	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Person	Intimidation	90	132	113	76	0	411	27	59	65	58	0	209	30%	45%	58%	76%		51%
Person	Kidnapping	11	6	4	6	0	27	4	4	3	5	0	16	36%	67%	75%	83%		59%
Person	Manslaughter	17	8	12	8	0	45	15	8	12	8	0	43	88%	100%	100%	100%		96%
Person	Mayhem	5	5	6	6	0	22	5	4	6	6	0	21	100%	80%	100%	100%		95%
Person	Murder	17	11	7	7	0	42	17	11	7	7	0	42	100%	100%	100%	100%		100%
Person	Murder, Attempted	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Person	Restraining Order Violation	362	520	425	310	2	1619	76	157	204	174	1	612	21%	30%	48%	56%	50%	38%
Person	Robbery Unarmed	22	9	19	33	0	83	6	8	17	30	0	61	27%	89%	89%	91%		73%
Person	Robbery Unarmed + 60	3	4	3	5	0	15	1	4	3	5	0	13	33%	100%	100%	100%		87%
Person	Stalking	20	9	9	8	0	46	6	3	5	6	0	20	30%	33%	56%	75%		43%
Person	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Stalking Violation of Rest. Order	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
Person	Threatening	129	118	95	83	2	427	23	39	39	36	2	139	18%	33%	41%	43%	100%	33%
Person	Violation Of Civil Rights	2	4	2	1	0	9	1	0	1	0	0	2	50%	0%	50%	0%		22%
Person	Violation Of Civil Rights, Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
Person	<b>Sub-Total</b>	<b>4351</b>	<b>3886</b>	<b>2834</b>	<b>2046</b>	<b>11</b>	<b>13128</b>	<b>1050</b>	<b>1502</b>	<b>1496</b>	<b>1338</b>	<b>10</b>	<b>5396</b>	<b>24%</b>	<b>39%</b>	<b>53%</b>	<b>65%</b>	<b>91%</b>	<b>41%</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Sex	Assault w/I Rape	2	3	1	1	0	7	1	2	1	1	0	5	50%	67%	100%	100%		71%
Sex	Assault w/I Rape 2nd	0	0	0	0	2	2	0	0	0	0	2	2				100%		100%
Sex	Assault w/I Rape Child	1	1	1	2	0	5	1	1	1	0	0	3	100%	100%	100%	0%		60%
Sex	Drug for Sexual Intercourse	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Sex	Incest	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Sex	Indecent A&B	81	38	22	12	0	153	32	21	19	9	0	81	40%	55%	86%	75%		53%
Sex	Indecent A&B On Child	114	37	24	15	0	190	69	29	17	10	0	125	61%	78%	71%	67%		66%
Sex	Indecent A&B On Child 2nd	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
Sex	Open And Gross	65	34	20	15	0	134	15	19	9	9	0	52	23%	56%	45%	60%		39%
Sex	Rape	14	8	5	4	0	31	14	7	3	4	0	28	100%	88%	60%	100%		90%
Sex	Rape Of Child	79	27	12	8	0	126	57	22	10	7	0	96	72%	81%	83%	88%		76%
Sex	Rape of Child 2nd	0	0	1	2	1	4	0	0	1	2	1	4			100%	100%	100%	100%
Sex	Rape Of Child w/Force	13	5	4	1	0	23	11	4	4	1	0	20	85%	80%	100%	100%		87%
Sex	Rape, Aggravated	6	5	3	3	1	18	6	5	3	3	1	18	100%	100%	100%	100%	100%	100%
<b>Sex</b>	<b>Sub-Total</b>	<b>376</b>	<b>160</b>	<b>95</b>	<b>64</b>	<b>4</b>	<b>699</b>	<b>206</b>	<b>111</b>	<b>70</b>	<b>46</b>	<b>4</b>	<b>437</b>	<b>55%</b>	<b>69%</b>	<b>74%</b>	<b>72%</b>	<b>100%</b>	<b>63%</b>
Weapons	Assault Weapon, Possess	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
Weapons	Body Armor, Use in Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Carrying Dangerous Weapon	83	69	44	23	0	219	22	31	24	10	0	87	27%	45%	55%	43%		40%
Weapons	Firearm Discharge	5	1	1	0	0	7	1	0	0	0	0	1	20%	0%	0%			14%
Weapons	Firearm Loaded while OUI	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
Weapons	Firearm Possess w/o Permit	146	57	23	12	0	238	75	36	15	8	0	134	51%	63%	65%	67%		56%
Weapons	Firearm Store Improper	7	2	0	0	0	9	0	1	0	0	0	1	0%	50%				11%
Weapons	Firearms - False Statement	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
Weapons	Gun Serial Number	9	3	2	0	0	14	4	3	1	0	0	8	44%	100%	50%			57%
Weapons	Possess Ammunition	8	4	3	0	0	15	3	1	2	0	0	6	38%	25%	67%			40%
Weapons	Possess Dangerous Weapon	6	3	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
Weapons	Possess Explosive Device	1	1	1	1	0	4	1	1	1	0	0	3	100%	100%	100%	0%		75%
Weapons	Possess Mace	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
Weapons	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Weapons	Possess Stun Gun	6	3	0	0	0	9	0	0	0	0	0	0	0%	0%				0%
Weapons	Violation Of Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
<b>Weapons</b>	<b>Sub-Total</b>	<b>283</b>	<b>146</b>	<b>77</b>	<b>36</b>	<b>0</b>	<b>542</b>	<b>108</b>	<b>75</b>	<b>44</b>	<b>18</b>	<b>0</b>	<b>245</b>	<b>38%</b>	<b>51%</b>	<b>57%</b>	<b>50%</b>		<b>45%</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Attempt B&E	8	9	4	11	0	32	0	4	3	8	0	15	0%	44%	75%	73%		47%
Property	Attempt Larceny	10	10	1	4	0	25	1	0	0	2	0	3	10%	0%	0%	50%		12%
Property	B&E	505	457	322	370	3	1657	161	259	235	284	3	942	32%	57%	73%	77%	100%	57%
Property	B&E MV	4	3	0	2	0	9	0	3	0	0	0	3	0%	100%		0%		33%
Property	B&E w/i Misdemeanor	52	54	41	19	0	166	7	16	20	12	0	55	13%	30%	49%	63%		33%
Property	Burglary	6	5	5	8	0	24	3	3	4	8	0	18	50%	60%	80%	100%		75%
Property	Burglary, Armed	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Property	Burning Building	11	4	3	0	0	18	5	3	3	0	0	11	45%	75%	100%			61%
Property	Burning Dwelling House	11	6	1	1	0	19	7	4	1	0	0	12	64%	67%	100%	0%		63%
Property	Burning Motor Vehicle	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
Property	Burning Property	12	9	3	3	0	27	3	3	2	0	0	8	25%	33%	67%	0%		30%
Property	Burning to Defraud	5	1	2	1	0	9	0	0	0	1	0	1	0%	0%	0%	100%		11%
Property	Common & Notorious Thief	3	2	1	0	0	6	3	2	1	0	0	6	100%	100%	100%			100%
Property	Concealing Stolen Property	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
Property	Conveying Mortgaged Property	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Property	Counterfeit	6	3	2	0	0	11	1	0	1	0	0	2	17%	0%	50%			18%
Property	Credit Card Misuse	45	27	28	17	0	117	3	10	13	4	0	30	7%	37%	46%	24%		26%
Property	Credit Card Misuse - More	6	6	11	13	0	36	1	3	9	13	0	26	17%	50%	82%	100%		72%
Property	Defrauding Innkeeper	3	2	2	0	0	7	1	1	1	0	0	3	33%	50%	50%			43%
Property	Defrauding Insurer	14	3	2	1	0	20	2	1	1	0	0	4	14%	33%	50%	0%		20%
Property	Defrauding Victualer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Embezzlement	7	1	0	0	0	8	4	0	0	0	0	4	57%	0%				50%
Property	Failure To Return Leased Prop	22	18	11	3	0	54	2	2	2	1	0	7	9%	11%	18%	33%		13%
Property	False Alarm	0	0	3	2	0	5	0	0	2	1	0	3			67%	50%		60%
Property	False Statement	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Forgery And Uttering	158	169	104	123	0	554	31	46	43	65	0	185	20%	27%	41%	53%		33%
Property	Fraud	11	5	3	1	0	20	2	0	1	0	0	3	18%	0%	33%	0%		15%
Property	Fraud - Electric, Phone or Cable	4	1	2	3	0	10	1	0	1	0	0	2	25%	0%	50%	0%		20%
Property	Fraud - Identity	13	7	7	1	0	28	2	1	4	1	0	8	15%	14%	57%	100%		29%

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Larceny	194	164	92	58	1	509	17	23	24	20	1	85	9%	14%	26%	34%	100%	17%
Property	Larceny + 60	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Larceny Building	50	50	35	37	0	172	19	20	22	27	0	88	38%	40%	63%	73%		51%
Property	Larceny Firearm	4	4	1	0	0	9	1	4	0	0	0	5	25%	100%	0%			56%
Property	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Property	Larceny Less	244	192	125	114	0	675	28	48	37	44	0	157	11%	25%	30%	39%		23%
Property	Larceny More	770	625	411	424	3	2233	119	176	179	243	1	718	15%	28%	44%	57%	33%	32%
Property	Larceny More + 60	4	2	3	3	0	12	1	1	3	3	0	8	25%	50%	100%	100%		67%
Property	Larceny MV	109	77	62	65	0	313	43	55	45	55	0	198	39%	71%	73%	85%		63%
Property	Larceny MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
Property	Larceny Person	124	117	90	88	1	420	37	77	58	62	0	234	30%	66%	64%	70%	0%	56%
Property	Larceny Person + 65	2	3	2	4	0	11	0	2	2	0	0	4	0%	67%	100%	0%		36%
Property	Mal Dest Property More	148	108	74	66	0	396	17	35	32	36	0	120	11%	32%	43%	55%		30%
Property	MV - False Report Of Theft	9	2	1	1	0	13	1	0	0	0	0	1	11%	0%	0%	0%		8%
Property	Possess Burglarious Tools	67	38	39	44	0	188	20	19	24	31	0	94	30%	50%	62%	70%		50%
Property	Property Destruction	258	234	137	92	0	721	39	43	49	42	0	173	15%	18%	36%	46%		24%
Property	Receiving Stolen Goods	204	173	130	137	0	644	39	66	67	84	0	256	19%	38%	52%	61%		40%
Property	Receiving Stolen Goods 2nd	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
Property	Receiving Stolen Goods MV	180	141	90	125	0	536	47	70	62	94	0	273	26%	50%	69%	75%		51%
Property	Receiving Stolen Goods MV 2nd	0	0	2	9	0	11	0	0	2	9	0	11			100%	100%		100%
Property	Receiving Stolen Goods Over	80	46	33	42	0	201	18	24	23	30	0	95	23%	52%	70%	71%		47%
Property	Record w/o Manufacturer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Setting Fire In Open	5	1	2	1	0	9	2	1	2	1	0	6	40%	100%	100%	100%		67%
Property	Shoplifting	740	636	395	404	3	2178	33	112	77	121	2	345	4%	18%	19%	30%	67%	16%
Property	Tagging Property	25	3	2	1	0	31	5	0	2	0	0	7	20%	0%	100%	0%		23%
Property	Tax Law Violation	8	3	0	0	0	11	0	0	0	0	0	0	0%	0%				0%
Property	Vandalism	16	10	2	4	0	32	3	1	1	0	0	5	19%	10%	50%	0%		16%
Property	Vandalize - Graves	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Property	Welfare Violation	22	8	2	2	0	34	1	2	0	0	0	3	5%	25%	0%	0%		9%
<b>Property</b>	<b>Sub-Total</b>	<b>4185</b>	<b>3442</b>	<b>2289</b>	<b>2317</b>	<b>11</b>	<b>12244</b>	<b>732</b>	<b>1140</b>	<b>1058</b>	<b>1310</b>	<b>7</b>	<b>4247</b>	<b>17%</b>	<b>33%</b>	<b>46%</b>	<b>57%</b>	<b>64%</b>	<b>35%</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Drug	Conspiracy Violate CSA	40	30	15	13	0	98	11	9	7	5	0	32	28%	30%	47%	38%		33%
Drug	Control Substance School	69	71	85	32	2	259	69	71	85	32	2	259	100%	100%	100%	100%	100%	100%
Drug	Distribute Class A	333	273	230	182	0	1018	142	172	163	136	0	613	43%	63%	71%	75%		60%
Drug	Distribute Class A 2nd	0	1	4	6	0	11	0	1	4	6	0	11		100%	100%	100%		100%
Drug	Distribute Class B	634	373	218	150	1	1376	232	212	131	108	1	684	37%	57%	60%	72%	100%	50%
Drug	Distribute Class B 2nd	0	19	15	14	1	49	0	19	15	14	1	49		100%	100%	100%	100%	100%
Drug	Distribute Class C	10	10	11	9	0	40	3	5	2	4	0	14	30%	50%	18%	44%		35%
Drug	Distribute Class D	375	180	67	36	0	658	87	67	32	21	0	207	23%	37%	48%	58%		31%
Drug	Distribute Class D 2nd	5	10	11	4	0	30	3	6	10	4	0	23	60%	60%	91%	100%		77%
Drug	Distribute Class E	6	4	0	5	0	15	0	1	0	4	0	5	0%	25%		80%		33%
Drug	Distribute Class E 2nd	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
Drug	Distribute Cocaine	74	46	43	16	0	179	74	46	43	16	0	179	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	1	5	0	0	6	0	1	5	0	0	6		100%	100%			100%
Drug	Distribute Counterfeit Substance	11	11	13	20	0	55	4	8	8	15	0	35	36%	73%	62%	75%		64%
Drug	Distribute Paraphenalia	7	3	0	1	0	11	1	0	0	1	0	2	14%	0%		100%		18%
Drug	Forge Prescription	42	26	20	9	0	97	5	5	8	4	0	22	12%	19%	40%	44%		23%
Drug	Giving Prisoner Cont Sub	9	6	5	3	0	23	3	3	5	2	0	13	33%	50%	100%	67%		57%
Drug	Inhaling Toxic Vapors	4	1	0	1	0	6	0	1	0	0	0	1	0%	100%		0%		17%
Drug	Larceny Cont Sub	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Drug	Possession Class A	109	142	95	92	1	439	31	35	36	46	0	148	28%	25%	38%	50%	0%	34%
Drug	Possession Class A 2nd	9	14	13	14	0	50	3	6	10	6	0	25	33%	43%	77%	43%		50%
Drug	Possession Class A Heroin	191	225	159	146	1	722	44	82	66	72	0	264	23%	36%	42%	49%	0%	37%
Drug	Possession Class A Heroin 2nd	4	10	14	12	0	40	2	4	5	5	0	16	50%	40%	36%	42%		40%
Drug	Possession Class B	529	478	314	197	5	1523	78	135	101	74	1	389	15%	28%	32%	38%	20%	26%
Drug	Possession Class B 2nd	16	17	14	24	0	71	7	7	8	13	0	35	44%	41%	57%	54%		49%
Drug	Possession Class C	15	19	9	8	0	51	7	6	3	5	0	21	47%	32%	33%	63%		41%
Drug	Possession Class C 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
Drug	Possession Class D	420	235	134	72	2	863	45	52	42	21	1	161	11%	22%	31%	29%	50%	19%
Drug	Possession Class D 2nd	33	42	7	4	0	86	3	13	3	1	0	20	9%	31%	43%	25%		23%
Drug	Possession Class D Marijuana	521	268	146	57	2	994	38	53	37	13	1	142	7%	20%	25%	23%	50%	14%
Drug	Possession Class D Marijuana 2nd	46	45	20	7	0	118	9	15	12	2	0	38	20%	33%	60%	29%		32%
Drug	Possession Class E	11	14	13	12	0	50	2	3	5	8	0	18	18%	21%	38%	67%		36%
Drug	Possession Hypodermic 2nd	0	2	3	1	0	6	0	2	2	1	0	5		100%	67%	100%		83%
Drug	Possession Hypodermic/Syringe	96	133	90	96	0	415	29	52	40	47	0	168	30%	39%	44%	49%		40%
Drug	Presence Class A	24	25	20	25	0	94	4	7	11	9	0	31	17%	28%	55%	36%		33%
Drug	Traffic Cocaine 014-028	32	29	12	11	0	84	32	29	12	11	0	84	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	42	14	13	1	0	70	42	14	13	1	0	70	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	16	2	4	0	0	22	16	2	4	0	0	22	100%	100%	100%			100%
Drug	Traffic Cocaine 200+	9	1	1	1	0	12	9	1	1	1	0	12	100%	100%	100%	100%		100%
Drug	Traffic Heroin 014-028	3	2	0	0	0	5	3	2	0	0	0	5	100%	100%				100%
Drug	Traffic Heroin 028-100	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
Drug	Traffic Heroin 100-200	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
Drug	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Traffic Mar 50-100	2	3	0	0	0	5	2	3	0	0	0	5	100%	100%				100%
<b>Drug</b>	<b>Sub-Total</b>	<b>3757</b>	<b>2789</b>	<b>1825</b>	<b>1282</b>	<b>15</b>	<b>9668</b>	<b>1049</b>	<b>1152</b>	<b>930</b>	<b>709</b>	<b>7</b>	<b>3847</b>	<b>28%</b>	<b>41%</b>	<b>51%</b>	<b>55%</b>	<b>47%</b>	<b>40%</b>



**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Motor Vehicle	Altering MV ID Number	4	0	1	1	0	6	0	0	0	0	0	0	0%		0%	0%		0%
Motor Vehicle	Attaching Wrong MV Plates	220	112	50	25	0	407	2	2	5	1	0	10	1%	2%	10%	4%		2%
Motor Vehicle	Compulsory Insurance Violation	851	456	248	160	2	1717	55	62	45	52	2	216	6%	14%	18%	33%	100%	13%
Motor Vehicle	Counterfeit/Alter MV Document	57	43	23	21	0	144	9	9	4	9	0	31	16%	21%	17%	43%		22%
Motor Vehicle	False Statement On Application	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
Motor Vehicle	Habitual Traffic Offender	30	60	34	17	0	141	15	30	16	9	0	70	50%	50%	47%	53%		50%
Motor Vehicle	Leaving Scene Death	5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%
Motor Vehicle	Leaving Scene Personal Injury	143	48	32	26	0	249	15	11	14	15	0	55	10%	23%	44%	58%		22%
Motor Vehicle	Leaving Scene Property Damage	491	307	138	109	0	1045	34	69	62	51	0	216	7%	22%	45%	47%		21%
Motor Vehicle	MV - Impersonate/Other License	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Motor Vehicle	MV - Sales Violation	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	MV Homicide	24	3	2	1	0	30	6	2	0	0	0	8	25%	67%	0%	0%		27%
Motor Vehicle	MV Homicide - OUI	5	1	0	0	0	6	4	1	0	0	0	5	80%	100%				83%
Motor Vehicle	MV Homicide - OUI Felony	6	4	1	1	0	12	6	4	1	1	0	12	100%	100%	100%	100%		100%
Motor Vehicle	MV Homicide - Reckless	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Motor Vehicle	Operate After Suspension	2293	1769	898	565	1	5526	123	229	135	96	0	583	5%	13%	15%	17%	0%	11%
Motor Vehicle	Operate After Suspension 2nd	432	628	354	289	2	1705	114	304	185	186	2	791	26%	48%	52%	64%	100%	46%
Motor Vehicle	Operate to Endanger	1012	406	185	115	0	1718	75	73	56	43	0	247	7%	18%	30%	37%		14%
Motor Vehicle	OUI Serious Inj, Fel	7	4	3	1	0	15	7	4	3	1	0	15	100%	100%	100%	100%		100%
Motor Vehicle	OUI Serious Inj, Misd	17	6	0	1	0	24	4	3	0	1	0	8	24%	50%		100%		33%
Motor Vehicle	Racing	8	1	1	0	0	10	0	0	0	0	0	0	0%	0%	0%			0%
Motor Vehicle	RV On Public Way	16	5	4	2	0	27	0	0	0	0	0	0	0%	0%	0%	0%		0%
Motor Vehicle	Use w/o Authority 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Motor Vehicle	Use Without Authority	68	59	32	26	0	185	12	24	20	15	0	71	18%	41%	63%	58%		38%
<b>Motor Vehicle</b>	<b>Sub-Total</b>	<b>5700</b>	<b>3918</b>	<b>2007</b>	<b>1360</b>	<b>5</b>	<b>12990</b>	<b>487</b>	<b>830</b>	<b>547</b>	<b>480</b>	<b>4</b>	<b>2348</b>	<b>9%</b>	<b>21%</b>	<b>27%</b>	<b>35%</b>	<b>80%</b>	<b>18%</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Other	Accessory After	10	1	0	3	0	14	3	1	0	2	0	6	30%	100%		67%		43%
Other	Accessory Before	5	4	3	0	0	12	2	2	2	0	0	6	40%	50%	67%			50%
Other	Aiding An Escape	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
Other	Alcohol, Procure for Minor	45	26	13	6	0	90	3	4	3	0	0	10	7%	15%	23%	0%		11%
Other	Alcohol, Transporting	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
Other	Attempt To Commit Crime	22	21	25	19	0	87	6	9	10	11	0	36	27%	43%	40%	58%		41%
Other	Bomb Hoax	0	1	1	1	0	3	0	0	1	0	0	1		0%	100%	0%		33%
Other	Bribery	5	2	0	2	0	9	1	0	0	1	0	2	20%	0%		50%		22%
Other	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Cigarette/Match Thrown Fr Veh	5	1	1	0	0	7	0	0	0	0	0	0	0%	0%	0%			0%
Other	Conspiracy	35	12	9	7	0	63	9	2	7	3	0	21	26%	17%	78%	43%		33%
Other	Contempt Of Court	1	1	1	2	0	5	0	0	1	0	0	1	0%	0%	100%	0%		20%
Other	Contributing To Delinquency	24	7	8	2	0	41	5	1	5	1	0	12	21%	14%	63%	50%		29%
Other	Disconnect Sprinkler System	0	1	2	1	0	4	0	1	2	1	0	4		100%	100%	100%		100%
Other	Employment Practices	18	9	1	0	0	28	1	1	0	0	0	2	6%	11%	0%			7%
Other	Escape	5	22	28	29	0	84	4	20	22	25	0	71	80%	91%	79%	86%		85%
Other	Escape Lockup	1	1	11	4	0	17	0	1	10	4	0	15	0%	100%	91%	100%		88%
Other	Escape Work Release Program	0	1	1	3	0	5	0	1	1	2	0	4		100%	100%	67%		80%
Other	Failure to Appear	18	20	11	6	0	55	1	7	3	1	0	12	6%	35%	27%	17%		22%
Other	Failure to Appear Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Failure To Disperse	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Failure To Obey Police Officer	52	14	18	8	0	92	2	1	0	0	0	3	4%	7%	0%	0%		3%
Other	False Alarm	6	6	2	1	0	15	0	1	1	0	0	2	0%	17%	50%	0%		13%
Other	False Statement	14	3	3	1	0	21	1	0	0	0	0	1	7%	0%	0%	0%		5%
Other	Fireworks	9	5	2	3	0	19	0	0	0	0	0	0	0%	0%	0%	0%		0%
Other	Gaming	11	3	1	0	0	15	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming Enterprise	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Gaming Register Bets	5	1	0	0	0	6	1	0	0	0	0	1	20%	0%				17%
Other	Gaming Use of Telephone	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%
Other	Health Code Violation	8	2	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
Other	Illegal Lottery	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Impersonate/Disguise	14	13	6	2	0	35	1	6	2	1	0	10	7%	46%	33%	50%		29%
Other	Interfere Police or Firefighter	2	1	4	3	0	10	0	0	1	1	0	2	0%	0%	25%	33%		20%
Other	Lottery Ticket Altering	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
Other	Nonsupport	16	8	3	2	0	29	5	5	1	2	0	13	31%	63%	33%	100%		45%
Other	Obstructing Justice	3	2	0	2	0	7	2	0	0	0	0	2	67%	0%		0%		29%
Other	Other Crime	1	0	2	0	0	3	1	0	0	0	0	1	100%		0%			33%
Other	Perjury or Suborn	8	1	0	1	0	10	1	0	0	1	0	2	13%	0%		100%		20%
Other	Resisting Arrest	299	251	174	96	1	821	48	67	65	43	1	224	16%	27%	37%	45%	100%	27%
Other	Sex Offender Fail Register	0	0	2	0	0	2	0	0	1	0	0	1			50%			50%
Other	Solicit Felony	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Other	Tattooing	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
Other	Throw Object On Public Way	4	5	1	1	0	11	0	1	0	0	0	1	0%	20%	0%	0%		9%
Other	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Trespassing	312	258	206	171	2	949	20	46	39	52	1	158	6%	18%	19%	30%	50%	17%
Other	True Name Law	52	35	26	14	0	127	9	13	10	6	0	38	17%	37%	38%	43%		30%
Other	Unregistered Contractor	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
Other	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Work Compensation Fail Have	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
<b>Other</b>	<b>Sub-Total</b>	<b>1033</b>	<b>749</b>	<b>570</b>	<b>391</b>	<b>3</b>	<b>2746</b>	<b>129</b>	<b>192</b>	<b>190</b>	<b>157</b>	<b>2</b>	<b>670</b>	<b>12%</b>	<b>26%</b>	<b>33%</b>	<b>40%</b>	<b>67%</b>	<b>24%</b>

**Table 54 Governing Offense by Type of Offense and Incarceration Status, All Courts**

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Public Order	Accost / Annoy Person Opposite Sex	2	2	3	1	0	8	0	0	3	0	0	3	0%	0%	100%	0%		38%
Public Order	Animal Kill or Poison	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Public Order	Annoying Phone Calls	37	34	13	10	0	94	0	6	3	3	0	12	0%	18%	23%	30%		13%
Public Order	Child Pornography	4	0	1	0	0	5	1	0	1	0	0	2	25%		100%			40%
Public Order	Child Pornography Possess	9	1	0	0	0	10	1	1	0	0	0	2	11%	100%				20%
Public Order	Common Night Walker	41	46	15	9	0	111	17	22	10	4	0	53	41%	48%	67%	44%		48%
Public Order	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Public Order	Cruelty To Animals	14	11	6	2	0	33	3	1	4	1	0	9	21%	9%	67%	50%		27%
Public Order	Disorderly Conduct	1026	697	431	306	1	2461	64	74	64	84	0	286	6%	11%	15%	27%	0%	12%
Public Order	Disrupt Court Proceedings	1	4	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Public Order	Fail To Comply With Dog Order	5	2	3	1	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
Public Order	False Report Of Crime	27	13	4	2	0	46	2	1	1	0	0	4	7%	8%	25%	0%		9%
Public Order	Indecent Exposure	28	17	11	18	0	74	3	6	1	5	0	15	11%	35%	9%	28%		20%
Public Order	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Public Order	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Lewd And Lacivious	17	17	5	6	0	45	2	7	3	3	0	15	12%	41%	60%	50%		33%
Public Order	Mistreat Police Animal	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Public Order	Nuisance, Aid or Permit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Public Order	Obscene Material to Minor	3	2	0	1	0	6	1	1	0	1	0	3	33%	50%		100%		50%
Public Order	Obscene Materials	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
Public Order	Peeping Tom	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Public Order	Polygamy	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Public Order	Prostitution	118	143	67	44	0	372	30	55	18	18	0	121	25%	38%	27%	41%		33%
Public Order	Remove Token from Grave	2	2	0	0	0	4	0	2	0	0	0	2	0%	100%				50%
Public Order	Unnatural Acts	2	6	7	0	0	15	0	1	3	0	0	4	0%	17%	43%			27%
<b>Public Order</b>	<b>Sub-Total</b>	<b>1344</b>	<b>1002</b>	<b>567</b>	<b>401</b>	<b>1</b>	<b>3315</b>	<b>126</b>	<b>179</b>	<b>112</b>	<b>119</b>	<b>0</b>	<b>536</b>	<b>9%</b>	<b>18%</b>	<b>20%</b>	<b>30%</b>	<b>0%</b>	<b>16%</b>